DOCUMENT RESUME

ED 224 012 CS 207 130

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TITLE Basic Law Guarantees Freedom of Opinion: Mass Media in the Federal Republic of Germany.
INSTITUTION Inter Nationes, Bonn (West Germany).
REPORT NO SO-1/1982 (Engl.)
PUB DATE 82
NOTE 33p.; Sonderdienst.
PUB TYPE Reports - Research/Technical (143)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Censorship; Communications; Foreign Countries; *Freedom of Speech; Futures (of Society); *Government Role; *Journalism; Journalism Education; Nazism; *News Media; *Press Opinion; Radio; Television
IDENTIFIERS Journalism History; *West Germany

ABSTRACT

The Basic Law of Press Freedom in West Germany that forbids censorship in any form is the subject of this booklet. The first section defines freedom of opinion as a basic right and presents the relationship of the press to the state. The role and structure of radio and television are described in the second section, which stresses the independence and success of these two forms of media. After relating the history of the German press, the third section surveys its current state. The fourth section describes the training of journalists, while the final section discusses possible problems of the media and society, including too great a concentration of opinion because of press mergers, the problems of internal press freedom for journalists, and the coming of new technologies. This section also includes statistics on the state of the German media in 1980. (JL)

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ED224012

Sonderdienst - JUL 14 1982 **SO 1/1982**

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Basic Law guarantees freedom of opinion

– Mass media in the Federal Republic of Germany –

By Michael Haler

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Code Nr 720 Q 1616

CS207/30

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Basic Law guarantees freedom of opinion

A. The liberal framework

1. Freedom of opinion, a basic right

Bonn (INP) – "The maintainance of freedom of opinion and publicistic equilibrium between the public law character of radio and television on the one hand and the private law character of the Press on the other are of decisive importance for the proper functioning of democracy." This statement was made by Chancellor Helmut Schmidt to a media policy conference of the SPD. "Radio, television and the Press are not mutually exclusive, but augment one another. The one gives us the living moment, the other words which can be checked. Both are important so that the individual citizen can form his or her own opinion".

As regards the forming of public opinion the mass media are endowed with a special role. More than 90 percent of the people of the Federal Republic of Germany inform or entertain themselves through the mass media. Around 40 million Germans read newspapers daily. Some 36 million prefer public journals – particularly illustrated magazines – in their choice of information medium. About 98 percent of the 61.6 million people of the Federal Republic of Germany regularly listen to radio while 85 percent spend a average of two hours and ten minutes a day watching television.

The most liberal constitution ever known in a German State – Basic Law – was passed on the 23rd of May, 1949. Part of Section I dealing with basic rights which may not be altered in substance – not even by way of the two-thirds majority of Parliament required for an amendment to the constitution – includes Article 5 guaranteeing freedom of opinion, information and Press in the Federal Republic of Germany. This declares inter alia:

"Everyone has the right freely to express and to disseminate his opinion in words, writing and images and to inform himself unhindered from generally accessible sources. Press freedom and the freedom of reporting by broadcasting and film are guaranteed. Censorship shall not take place".

Furthermore, the legal status of the Press is laid down in the Press laws of the various federal states (Länder). Numerous regulations apply to all mass media – among them the claimable legal right to obtain information from the authorities.

2. Control function in relation to State authorities

The political importance of communication freedom in the Federal Republic of Germany has been laid down clearly by the Federal Constitutional Court. This highest German court of law regards the basic right of freedom of expression of opinion as "the basis of freedom per se" because "only this facilitates permanent intellectual controversy". Freedom of information is defined as an "important provisions for the proper functioning of democracy". "Only when the citizen is in a position freely to inform himself is he able to act responsibly in a democratic sense, for, example in voting in an election".

Basic Law forbids censorship in any form, either prior or subsequent, of utterances in written or spoken words or in images. The Federal Constitutional Court regards Press and other information media free from censorship as an "integral element" of any state founded on freedom. The Press and broadcasting laws of the individual federal states also emphasise the public function of Press, radio and television, ensure their protection against intervention by the State and its authorities and specify the latter's obligations to the information media. For example, they make provision for compensation for unjustified confiscation by the authorities and legal regulations also enable the information media to execute their "control function" in relation to organs of the State. Ideally, the media function, as "interlocutors" between the general public and the bearers of State competence.

3. State power and sovereign media power

Free information activities also pre-suppose the unhampered procurement of information material and the protection of the "anonymity of the information source".

Corresponding legislation such as the "Law Governing the Right of Refusal to Testify for Press and Broadcasting Employees", guaranteeing employees of these media unrestricted rights of refusal to give evidence relating to the editorial parts, of periodic printed material and broadcast programmes, also secure the rights of information media in this regard. The professional law side of Press freedom is also of significance, because it can be deduced from Press freedom that access to occupations in the Press is open to anyone.

Press and broadcasting freedom in the Federal Republic of Germany is limited only by the rules of general law (what is forbidden for ordinary citizens cannot exempt the mass media) and by the right to "personal honour" (protection of personality). It is also punishable by law to recount acts of violence against persons in a savage or otherwise inhuman manner conducive to the glorification or playing-down of violence.

On principle, competence for the issuance of legislation governing Press and broadcasting in the Federal Republic of Germany lies with the "Bundesländer" – the federal states. It is limited by the right of the Federation to issue framework regulations on the general legal status of the Press. But, to date, the Federation has made no use of its powers to impose such framework laws, though some years ago there was much discussion about a proposed "Press framework law" designed to set out regulations for "internal Press freedom", that is the relationship between editor and publisher. The "Press Statistics Law" passed by the Federal Government (1975) permits better observation of mergers in the German Press. The "Third Amendment to the Law on Competition Distortions" (1976) contains rules governing control of mergers between Press enterprises. Legislation guaranteeing the independence of the Complaints Committee appointed by the German Press Council came into force in 1976.

Broadcasting stations are self-sufficient in relation to the State executive. Governments have no power to issue directives to broadcasting stations or to intervene in broadcast programmes. Financial resources are administered independently and separately from State budgets by the self-administration organs of the broadcasting stations. State supervision, to which every public corporation is subject under German administrative law, is restricted to legal supervision only in the case of broadcasting stations. The "Land" (regional) government responsible for a broadcasting station or the Federal Government is empowered only to issue admonitions in the event of violations of broadcasting law or of other laws.

Local, regional and federal authorities responsible for Press and other media duties (Press offices, Press officers, etc.) are "service facilities" to ease media access to information and guarantee contact between the authorities and the information media. This applies, too, to the Press and Information Office of the Federal Government in Bonn. The latter sees itself as "the Federal Government's main authority for dealings with the Press and all other news carriers, thus having the function of representing the policy of the Federal Government in relation to news organs. It is furthermore committed to informing the population of the Federal Republic of Germany as to political aims and about the work of the Federal Government".

Press and broadcasting organs are alert to any attempt by organs of State to exert pressure on publishers, broadcasting stations or journalists. Any attempts to exert pressure generally lead to solidarity among the most varied organs, even if their opinions and information techniques differ. This reaction shows the measure of self-confidence with which the media of the Federal Republic of Germany confront the power of the State and demonstrates that they are striving daily to realise the Press freedom guaranteed to them – no matter how varied the currents and directions they may represent.

B. Radio and television

Nine "Land" (regional) broadcasting stations broadcast daily their own programmes, directed toward around 23 million radio owners and about 21 million television receivers in the Federal Republic of Germany. Added to these are the programmes of Deutschlandfunk, Deutsche Welle and two channels of RIAS (Radio in the American Sector) Berlin. Since 1952, the nine regional broadcasting stations affiliated to ARD (Arbeitsgemeinschaft der Rundfunkanstalten Deutschlands – the central co-ordinating organ for Channel One) have been transmitting one supra-regional and one regional TV channel and a Third Channel since 1964. Zweites Deutsches Fernsehen (ZDF – Second Channel Television) began transmissions in 1964.

The basic characteristics of broadcasting in the Federal Republic of Germany were laid down in broadcasting laws formulated towards the end of the 1940s. Despite a series of political of controversies over their contents, they remain valid today. It is intended here that broadcasting stations be independent media for the presentation of different, certainly controversial, philosophical, scientific, political and intellectual convictions, opinions and views prevalent in society. Not least, broadcasting should be at the service of peace and international understanding, social justice, democratic freedom and truth as the highest aims and ideals.

This high ethos, reflected in various broadcasting laws, is rooted in the historical experiences of the Germans in the field of broadcasting during the Nazi dictatorship and in the political endeavour for a new beginning in 1945. As regards radio, this new beginning was orientated above all towards the BBC but also, in a certain respect, resumed certain aspects of early radio in the Weimar Republic. Up to the present day, this ethos has remained the yardstick for broadcasting policy controversies to the extent that, in its materialised legal form it represents the strongest backing for defence of broadcasting freedom against one-sided attempts to exert political influence.

Radio in Germany began to transmit programmes almost 60 years ago, on the 23rd of October, 1923. Since the very first programme – a one-hour concert broadcast over medium wave from an office building in Berlin – German radio has not fallen silent for a single day. Whilst high hopes had been staked in radio as a "mediator between people", no one could guess, at that time, what great importance "steam radio" was one day to achieve. Today, 93 of every 100 households has a radio receiver; sound

radio programmes can reach about 98 percent of the population.

Radio, in its organisational form in the early 1920s, was radio of private programme-makers and of political abstinence, transmitting programmes chiefly concentrating on entertainment and, to some extent, fostering the arts. One feature of present-day radio, however, was also characteristic of radio in the Weimar Republic, its regional, decentralised structure. In 1926, there were ten broadcasting corporations in the German Reich, each of them catering for particular regions. The de-centralised structure was smashed by the National Socialists in the period after 1933. One central organisation, the "Reichsrundfunkgesellschaft" – the "Reich Broadcasting Corporation" controlled by the Reich Propaganda Ministry – harnessed radio in the service of National Socialist propaganda. Broadcasting stations, now completely politicised and subjugated to the interests of the Nazi rulers, became the most important – and unfortunately the most successful – instrument of mass wielding of influence by the National Socialists.

1. Self-administration and independent programme planning

Knowledge gained by experience of how effective broadcasting can be in the service of specific political intentions and awareness of the danger of demagogical control of this medium largely determined the criteria by which radio was reorganised after 1945: – independence of broadcasting from all forms of political influence, from all forms of State control and from all private financial factors.

The legal, financial and organisational constitution developed for broadcasting after 1945 in what was to become the Federal Republic of Germany, seen in its entirety, represents an attempt to place the electronic mass media, radio and television at the service of self-interpretation divested of aspirations of dominance on the part of a democratically constituted society and communication between its members, resting on a maximum of equality of opportunity. Devoid of State influence and unsullied by private financial interests – such was the will of the lawgivers – sound radio and television programmes would serve the dissemination of information, education and entertainment.

The freedom of broadcasting as guaranteed in Article 5 of Basic Law (the constitution) found expression in the organisation of broadcasting stations as communal "institutions governed by public law". This specific legal structure assures the stations of legal autonomy, financial self-dependence through self-administration and independence in the planning and content of programmes. Freedom of programme planning is limited only by general legal regulations and in valid broadcasting laws applicable to all broadcasting stations.

2. Broadcasting councils

These broadcasting laws also cover control of broadcasting stations and their top representative, the director-general. As representatives of the general public, independent broadcasting councils have the function of advising directors-general in basic questions and overseeing the implementation of regulations and laws relating to broadcasting. In this, the broadcasting councils do not enjoy the right themselves to exert influence on programme planning and content. They may raise objection to and pursue possible infringements of broadcasting laws only subsequent to the transmission of the programme under question. At worst, they can dismiss a director-general who, in accordance with Basic Law, bears ultimate responsibility for all programmes transmitted from the station concerned.

In most broadcasting stations in the Federal Republic of Germany, broadcasting councils are constituted in accordance with the principle of estates. The socially relevant groupings laid down in the respective broadcasting laws (and thus variously delineated) – such as employers' organisations and trade unions, the main religious communities, universities and educators' organisations, farmers' associations, chambers of manual trades, youth organisations, political parties and representatives of cultural life – elect from amongst themselves representatives on the broadcasting council for a specified period of time. In most broadcasting stations, the broadcasting board or council appoints the director-general and the majority or all members of the board of administration. Furthermore, in most broadcasting stations, broadcasting councils hold important budgetary rights; they must approve station budgetary plans and annual balance-sheets and discharge the management. The control functions anchored in the broadcasting councils and the powers vested in them to this end understandably represent a temptation to political parties and state executive organs to use this as a channel by which to exert influence on broadcasting as the most important mass communication medium. The number of government and party representatives in broadcasting councils was deliberately kept low by the law-givers to rule out, wherever possible, the creation of political majorities in these bodies representing the community as a whole. Broadcasting legislation introduced later – for instance those governing Westdeutscher Rundfunk (Western German Radio), Norddeutscher Rundfunk (Northern German Radio) or Channel Two Television (ZDF) made provision that these supreme control organs were manned practically exclusively by representatives of political life in accordance with political proportionality or with the balance of political power in the respective regional (Länder) parliaments. To some extent, this harbours the danger of politicisation of broadcasting stations, thus narrowing the view for the interests of the public at large to the advantage of whichever political party is most strongly represented. This resulted in attempts to exert

influence on the staff policies of the stations and to subjugate programme planning to the interests of the respective majority party. However, so far, the legal basis laid down for broadcasting in the Federal Republic of Germany after 1945 has ensured that, generally speaking, broadcasting stations' independence has remained intact.

3. A few observations about money

The financial resources of broadcasting stations are a question of significance when considered in regard to their independence in the Federal Republic of Germany, their financing generally takes place by way of the radio and television receiving licences to be paid to the stations by everyone owning and operating a radio or TV receiver. Since 1 January 1979, the combined licence for radio and television has amounted to DM 13 monthly (DM 3.80 for radio, DM 9.20 for TV). The annual revenue from licences is around DM 3,000 million. ZDF receives a 30 percent share of overall TV license revenue. The license fees are collected by a central accounting office recorded and transferred to the broadcasting station the transmission area of which covers the area in which the respective viewer lives. The amount of license fee is laid down from case to case ina "State Treaty" which requires the approval of the parliaments of all federal states.

4. The Länder have the last word

Broadcasting is organised on a federative basis in the Federal Republic of Germany. In a certain manner, this follows on to broadcasting structure existing up to 1933. The National Socialists, on the other hand, created a centrist system of broadcasting control and operation. The constitution of the Federal Republic of Germany stipulates that broadcasting is the province of the Länder (federal states). All legal and financial matters concerning broadcasting – like cultural sovereignty, schools and universities – lie within the competence of the Länder. Under Land (regional) law, broadcasting stations are set up by the respective Land parliaments. Deutschlandfunk and Deutsche Welle are exceptions, being stations governed by federal law. RIAS (Radio in the American Sector) in Berlin, an ARD member with advisory voting rights, was founded by the Americans in 1945; it is controlled by the International Communication Agency, but the director-general, the personnel and the programmes are now German.

The nine regional broadcasting stations in the Federal Republic of Germany all transmit daily three radio programmes, one on regional television and a Third TV Channel. The nine regional stations linked in ARD jointly broadcast the First Channel of German Television. With more than five million listeners, the Second Programme of Westdeutscher Rundfunk (WDR II) is the programme with the biggest listenership in the Federal Republic of Germany. Norddeutscher Rundfunk's NDR II takes second place, with 4.2 million listeners daily.

Whilst most federal states have only one regional broadcasting station, in Baden-Württemberg, apart from the Stuttgart-based Southern German Radio (Süddeutscher Rundfunk), there is also Südwestfunk (South-West Radio) in Baden-Baden. The legal status of this latter station is laid down in a treaty concluded between the states of Baden-Württemberg and Rhineland Palatinate. The case of Norddeutscher Rundfunk (based in Hamburg) is similar; this was constituted through a contract concluded between the federal states of Hamburg, Lower Saxony and Schleswig-Holstein. (For a variety of reasons, including alleged "imbalance of programme in various spheres", the state government of Schleswig-Holstein in mid-1978 gave notice of termination of the NDR State Treaty as of 31st December, 1980. It submitted a draft for negotiations on a new three-state treaty. The Hamburg Senate followed suit within a short time while, for the moment, Lower Saxony took no new initiative of its own. In August, 1980, the three states agreed to draw up a new State Treaty. This took effect on 1st January, 1981, initially scheduled to expire on 31st December. 1990). These differences are still reflected in the variety of circumstances surrounding the founding of the individual stations, deriving to some extent from the stipulations of the victorious powers and to some degree, also, from changes in the broadcasting landscape which occurred later.

The size of the individual stations depends on the number of listeners/viewers within the respective transmission area and, accordingly, upon the license fee revenues flowing to the stations. Using these criteria, Westdeutscher Rundfunk (WDR), Norddeutscher Rundfunk (NDR) and Bayerischer Rundfunk (BR) are the three biggest broadcasting stations, while the "medium-size" stations are Hessischer Rundfunk (HR), Süddeutscher Rundfunk (SR) and Südwestfunk (SWF), Saarländischer Rundfunk (SR), Sender Freies Berlin (SFB) and Radio Bremen (RB) are the smallest and hence the financially weakest stations.

In this, the versatility of the individual stations and their programmes almost automatically guarantees variety of opinion, artistic differentiation and journlistic competition.

5. Two stations governed by Federal Law

Apart from the nine regional broadcasting stations in the Federal Republic of Germany, there are two governed by Federal Law: Deutschlandfunk and Deutsche Welle. The legal basis for these stations, which broadcast only sound radio, is a law passed in 1960 – the "Law governing the establishment of broadcasting stations under Federal Law". Because the programmes of both stations are directed chiefly at listeners beyond the German borders, the Laender assented to the setting-up of this broadcasting

representation of the Federal Republic of Germany. Both of these stations were also set up as non-profit corporations under public law, whereby – unlike the nine regional stations – their supervisory organs do not contain the broad spectrum of "socially relevant" groupings, but comprise essentially representatives of the federation's executive and legislative bodies.

Deutschlandfunk (based in Cologne) directs its programmes chiefly towards listeners in the German Democratic Republic and to other European countries. It transmits a 24-hour programme in German and 13 foreign language programmes. Deutsche Welle, also based in Cologne, with eight shortwave transmitters in Wertachtal and relay stations in various parts of the world (including Africa), is among the world's biggest broadcasting stations. The only shortwave radio station in the Federal Republic of Germany, it employs around 1,400 people, including 400 foreigners. On a 24-hour, world-wide basis, Deutsche Welle broadcasts news, commentaries, language courses and entertainment in German and in 33 foreign languages. The programmes are intended to present "a comprehensive image of political, economic and cultural life in the Federal Republic of Germany". Via the transcription programmes with numerous broadcasting stations abroad, chiefly stations in developing countries.

6. The "community of the nine"

Whilst the effects of this regional structure of broadcasting – with numerous autonomous stations – were, and still are, positive, the need for close co-operation among the individual stations in tackling common problems soon became obvious. It became most evident when television was introduced in the early 1950s. It was inconceivable that each individual broadcasting station should – as in radio – produce a full television programme, the nine regional stations joined forces on the 27th of March, 1953 with the aim of producing a joint television programme. This was first broadcast on the 1st of November, 1954 and was known as the Joint Programme of German Television. The share of each station in this joint programme was laid down according to the size and financial resources of each station as follows:

Westdeutscher Rundfunk 25 percent, Norddeutscher Rundfunk 19 percent, Bayerischer Rundfunk 17 percent, Südwestfunk 9 percent, Hessischer Rundfunk 8 percent, Sender Freies Berlin 8 percent, Süddeutscher Rundfunk 8 percent, Radio Bremen 3 percent and Saarländischer Rundfunk 3 percent. This breakdown applies both to the overall programme and to the individual programme sectors.

Apart from the joint programme – Deutsches Fernsehen or Channel One broadcast throughout the whole reception area of the Federal Republic of Germany – the broadcasting stations also co-operate in other sectors, such as legal affairs, the technical sphere and management-financial. To this end, in 1950 they formed the "Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland" – the "working alliance of broadcasting corporations governed by public law in the Federal Republic of Germany" – ARD for short. The nine regional stations were joined in this later by Deutsche Welle and Deutschlandfunk, the stations subject to Federal Law and – with a purely advisory voting right – RIAS in Berlin. ARD's organisational form is that of a functional organ. It is not a legal entity in its own right.

Consultations and decisions necessary to joint operations take place at regular members' assemblies and meetings of panels of experts. Furthermore, the stations set up a number of other joint bodies to cater for common interests, examples being one organ for the central registration of archive contents in individual stations. These and other joint ventures are also jointly financed by the broadcasting stations. But in addition, the stations also operate a financial equalisation scheme to spread the burden carried equitably among financially weaker and stronger stations, thus making it possible for lesser units with smaller transmission areas and lower license fee revenues to maintain efficiency in the transmission of their programmes. The funds for this financial equalisation scheme – which was given a legal foundation in an inter-state agreement concluded in 1959 – are raised by the various stations in accordance with their financial resources. In 1979 and 1980, for example, the ARD broadcasting stations – aside from the financing of joint operations raised a financial equalisation total of 122 million DM.

7. Pluralistic internal structure

The laws and inter-state agreements constituting the legal basis for broadcasting in the Federal Republic of Germany provided for three legal organs for the running and control of broadcasting corporations: broadcasting and administrative boards as control organs and directors-general as executive organs. Under this legal structure, the director-general, who is elected for a specified period by the supervisory organs and can be dismissed by those at any time, manages and administers the corporation and organises its programmes in accordance with the law of the state. Because these tasks cannot be mastered alone by the director-general, the interior of broadcasting corporations is given a structure, based on the principle of delegation, to deal with the various responsibilities and functions of a broadcasting station. Basically, this structure is similar and comparable in all broadcasting corporations, though with the most varied divergencies. An attempt will be made here to sketch a typical case.

The various sectors of a broadcasting corporation, such as television programmes, radio programmes, administration, technical and legal departments, are organised into directorates headed by directors. Further

breakdown – for example a radio programme directorate is sub-divided into entertainment, current affairs, the arts, education, music, etc., or an administrative directorate into finance, accounts, personnel, honoraria works or building – is into main departments and these, in turn, are split into departments and sections. The designations given to individual sub-departments vary from corporation to corporation and organisational plans also contain structural differences, but all management criteria are founded on the principle of delegation of responsibilities and duties in a "downward" direction, as required by the legally stipulated position of a director-general holding ultimate responsibility.

In this, staff interests are represented in relation to corporation management by democratically elected employee representatives, institutions and organs such as personnel councils, trade unions and employee associations. Their legal credentials are laid down in the various legal regulations governing employee representation in the Federal Republic of Germany. The rights of personnel councils (= works councils) extend from co-determination in the hiring, promotion, transfer or dismissal of employees to a full range of other company co-determination rights, particularly in social matters extending in turn up to representation in supervisory organs. As regards the specific field of artistic or journalistic duties, with their inherent direct potential of conflict touching on freedom of opinion and broadcasting there exist, to some degree, special rules governing right of say and right of involvement designed to ensure that the legally prescribed control of programmes cannot be misused as censorship, that freedom of opinion is preserved and not abused and that scope for productive and creative programme work is not impinged.

8. Radio provides biggest selection

The three radio programmes broadcast daily by the nine regional networks in the Federal Republic of Germany are varied in volume. Channels Two and Three are to some extent broadcast only at peak listening times, not for the full 24 hours. Transmission is by Medium and Very High Frequency (known in Germany as Ultra High Frequency – UKW). The VHF net is particularly well developed.

The range of programmes provided by German stations is manifold, including something for everyone. It extends from a special frequency for motoring news to radio plays and music, news and weather reports, religious, women's and children's programmes, economic analyses, social affairs reports, sport and science. Numerous schools in the Federal Republic of Germany have incorporated educational programmes – in which the stations co-ordinate with teachers, parents and school authorities – into their curricula.

Special radio programmes are broadcast for foreigners living and working in the Federal Republic of Germany. Apart from entertainment, these programmes – transmitted in the respective languages – also include news from the various countries of origin, information about the Federal Republic of Germany and practical vocational advice.

The numerous letters received daily by the stations illustrate the importance of these programmes. They are broadcast in Italian, Greek, Spanish, Turkish and Yugoslav.

Almost every broadcasting corporation maintains one or more large musical ensembles such as symphony and chamber orchestras, dance and light entertainment orchestras which often play an important part in the music world of the Federal Republic of Germany. Broadcasting archives contain more than about one-and-a-half million historic and current gramophone records and tapes which are continuously augmented with new recordings from all spheres of political, economic and cultural life. However, not all of these radio programmes are comprehensive in the sense that they comprise solely self-made or original programmes. There are many "repeats", co-productions involving other stations and other exchange programmes, especially where they are expensive word and music programmes, programmes acquired from other stations and other miscellaneous exchange projects. "Outside" productions often account for well over 50 percent, including record company recordings. The round-the-clock programmes – i. e. the Channel One programmes – are "bunched together" in a country-wide link-up from midnight until 6 a.m. Technically, programme exchanges between radio stations is facilitated at minimum cost by way of a permanent radio network launched in 1974. Prior to this, each individual line had to be booked and provided by the Federal Post Office. A permanent, star-shaped network of radio transmission lines interconnects all radio stations. A computer based in Frankfurt/Main controls line use, assuring optimum exploitation.

The main characteristic of ARD radio programmes is the large measure of regional autonomy and variety, coupled to supra-regional, cost-saving co-operation. The federalist structure of German radio facilitates wide-ranging political information, extending from local affairs to regional politics, Federal Government affairs and international events. It also guarantees broadly-based presentation of cultural life, with its many regional accents, varied educational amenities and, of course, wide selection of entertainment programmes.

9. Channel One television

Channel One television – also known as German Television (Deutsches Fernsehen) or ARD Joint Programme – is produced jointly by the nine regional broadcasting corporations. As indicated above, the individual stations pro-

vide contributions to all programme sectors in accordance with a contractually specified system in which quotas correspond roughy to the percentage share of the stations in revenue from license fees. These contributions are assimilated in an overall programme by the German Television Programme Directorate, formed to co-ordinate the joint programme. But apart from these individual contributions, the overall programme also includes joint programmes, such as the two main and current affairs programmes "Tagesschau" and "Tagesthemen" or the sports programme "Sportschau", contributions to specific programme series or jointly procured programmes such as entertainment films, "thriller" series or Eurovision programmes.

The planning, coordination and disposition of a programme provided by nine independent corporations, each autonomous in its own programme compilation, entails a complicated system of consultation, conferences and votes, to which end the ARD has created a corresponding infrastructure of coordinators and representatives, programme and line conferences. Despite the inherent danger of bureaucratic immobility, the ARD joint programme has remained sufficiently since the 1st of November, 1954 and has shown itself to be capable of coping with the political difficulties and tensions which have occasionally arisen between ARD member stations. This is shown by the fact that hardly any use has been made of the contractually agreed right of every station to "opt out" of the joint programme if it has legal, aesthetic, journalistic or other objections to a programme contribution by another station. As regards broadcasting law, responsibility for the joint programme lies with each station broadcasting this programme. To this extent, the joint programme must be in line with the programme criteria of all broadcasting corporations and in accordance with the respective legal regulations. The programme committee, made up of representatives of all of the regional broadcasting stations to advise the German Television programme director, has purely advisory functions, with no control rights or rights of sanction. On weekdays, the ARD joint programme begins at 4.10 pm, on Saturday around noon and on Sundays and public holidays in the forenoon, from Monday to Friday, member stations opt out between 6 and 8 pm (Saturdays 7 to 8 pm) to broadcast their own regional programmes. From Monday to Saturday, ARD and ZDF transmit a joint three-hour morning programme, comprising mostly repeats from the previous evening's broadcast, with the exception of news bulletins which are "live".

10. ARD regional programmes

Regional programmes transmitted by regional corporations in the early evening on Channel One frequencies contain advertising, light entertainment and regional political information from the respective federal states. (Norddeutscher Rundfunk and Radio Bremen transmit a joint regional TV programme, while Süddeutscher Rundfunk and Südwestfunk co-operate to a limited degree in this way). The programmes are transmitted regionally and can be received only in the immediate transmission area of the respective station. In contrast to the central broadcasting corporation ZDF with its country-wide programmes, the regional corporations – in accordance with their legal mandates – are deeply involved in reporting on political, cultural and economic life in their own particular federal states.

Apart from regional reports, a role is also played by the transmission of "commercials" between 6 and 8 pm. In the early evening programmes, these "spots" are built into entertainment programmes, chiefly series.

11. Little scope for private stations

When it became obvious at the end of the 1950s that the Federal Government planned setting up a private television station calling itself "Deutschland Fernsehen GmbH" in order to transmit a second channel financed from advertising revenue, the regional stations went to the topmost court of law in Germany, the Federal Constitutional Court in Karlsruhe, with the aim of protesting against the resultant infringement of the principle laid down in Basic Law stating that broadcasting is the province of the Laender. In a basic ruling in 1961, the Federal Constitutional Court laid down that the Federal Government's attempt to set up a television corporation based on private law violated both the cultural sovereignty of the federal states and constitutionally guaranteed broadcasting freedom.

The judgement conceded the Federal Government competence solely in the field of telecommunications, i.e. in the technical transmission of programmes by the Federal Post Office (Deutsche Bundespost). This explains why the built radio transmitters prior to 1961 and the transmitters of Channel One television belong to the broadcasting stations themselves and are maintained by them, while the transmitters built after 1961 for Second Channel television and the Third Programmes were provided and are maintained by the Post Office.

In 1981, the advocates and opponents of private commercial radio and television again learned of the sole conditions of constitutional law under which private broadcasting stations can be admitted in the Federal Republic of Germany. The Federal Constitutional Court rejected as unconstitutional and null and void those passages of the Saarland Broadcasting Law setting out the admission of private broadcasting – hitherto the only legal regulations governing private broadcasting in the Federal Republic of Germany. The Federal constitutional Court stressed that, whilst private broadcasting (sound radio and television) is admissable under constitutional law, its actual admission lay at the discretion of the State, whereby certain

minimum conditions must be observed. The court called for legal specifications for all types of radio and television, to be laid down – as already declared in 1961 – by the regional parliaments "which must spell out these regulations in detail, not in more 'framework rules' leaving the respective Land governments to fill them out in terms of broadcasting policy".

12. Second German Television (ZDF)

Following the decision of the Federal Constitutional Court in 1961, the federal states decided to set up – separately from the existing individual regional broadcasting corporations – a further independent central broadcasting corporation for the production and transmission of a second television programme to provide an alternative to Channel One television. This became known as Second German Television (ZDF), based in Mainz. The respective State Treaty took effect on 1st December, 1961. ZDF, too, was given a public, nonprofit constitution and modelled on existing broadcasting corporations – a television board comprising 66 members, proposed or delegated by the federal states, the federal government, the political parties and the main associations and organisations in the Federal Republic of Germany to represent the interests of of the general public. The board appoints the director-general, who heads ZDF and lays down programme guidelines. A board of administration acts as watchdog over the corporation's finances and sanctions its budget.

ZDF began transmissions in April, 1964. The State Treaty required the corporation to strive to produce a contrasting programme. De facto, this obliges ZDF and the nine regional stations jointly compiling Channel One to harmonise their scheme of programmes and jointly to frame their daily output in such a way that viewers can choose between two programmes of different content. To this end, ZDF and ARD concluded a "coordination agreement". Obviously, efforts to provide contrast do not always meet with the satisfaction of all viewers. On paper, a sports broadcast, an entertainment programme, a documentation on social problems and a political magazine may provide contrast; but viewers may regard them as similar. Harmonising and shaping of the programme is thus a permanently difficult task which brings ARD and ZDF together at regular, monthly coordinating meetings. Programme schemes are highly volatile. However, despite all endeavours to vary the contents of the respective alternative programmes, ARD and ZDF programme principles, quality standards and journalistic and artistic criteria are just as comparable as their mandate to broadcast programmes which are both comprehensively informative and balanced in the opinions they convey.

ARD and ZDF co-operate at many levels and in many organs. Despite the natural competition which occurs in the programme sector, practically all important broadcasting questions are characterised by close co-operation and consultation between the two public television systems. This applies to technical problems, matters of broadcasting law, negotiations with sports organisations on sports coverage or with political parties on election coverage.

There are special television broadcasts for 1.8 million foreigners living in the Federal Republic of Germany. These are transmitted in the respective languages and contain – apart from entertainment and information from homelands – useful hints about school and vocational education for the children of foreign residents, job opportunities and facts about housing.

13. The "Third Programmes"

Apart from the first and second channels accessible to viewers throughout the Federal Republic of Germany, the regional broadcasting stations united in ARD produce – alongside their respective regional broadcasts – a so-called "Third Programme" or Channel Three which is also transmitted regionally. Schools television is gaining in importance. But whilst most schools have incorporated educational radio in their curricula, educational television is still very much in the experimental phase, although, in some Länder, adult education has been incorporated into programmes in the form of a "tele-college".

Whilst the Third Programmes generally broadcast educational television programmes in the forenoons, their evening schedules offer alternative programmes to Channel One and Channel Two. In this, Norddeutscher Rundfunk, Radio Bremen and Sender Freies Berlin form a "northern link-up" whilst Süddeutscher Rundfunk, Saarländischer Rundfunk and Südwestfunk are similary linked in the south. Westdeutscher Rundfunk, Hessischer Rundfunk and Bayerischer Rundfunk transmit their own independent Third Programmes. Naturally – not least for reasons of economy – there is a great deal of programme exchanging. An administrative agreement lays down that all programmes suitable for exchange – no matter who produces them – should be made available free of charge to all broadcasting stations. Apart from this, the Third Programmes are subject to no "co-ordination obligation" towards ZDF or within ARD, coming exclusively within the competence of the respective producing and transmitting station.

The alternatives intrinsic to the Third Programme comprise, in the main, a range of programmes for specific viewerships or minorities. There is a predominance of high-quality cultural programmes, educational programmes and television experiments. In many cases, Third Programmes serve merely for the testing of new programmes, new styles and new personnel prior to their disposition in the supra-regional Channel One. However, a certain trend has been observed of late towards popularisation of programmes hitherto seen chiefly only by minorities of viewers – entertainment films, "thriller"

series and entertainment programmes encourage greater self-participation and, at certain periods, represent genuine competition for the two main evening television broadcasts.

14. The advent of colour television

Colour television came to the Federal Republic of Germany in 1967. The then Foreign Minister, Willy Brandt, pushed a button at the 25th Radio and Television Exhibition in Berlin (West), switching on the first 5,800 colour TV sets in the Federal Republic of Germany. Today, more than 70 percent of the 21 million owners of television sets have colour TVs. Around 95 percent of all programmes in the Federal Republic of Germany are transmitted in colour – using the "Phase Alternation Line" (PAL) system developed by the German engineer Dr. Walter Bruch. Thanks to its high quality, this system was quickly adopted by other countries too. PAL is now in use in more than 40 countries.

Television and radio productions play an important role in the broad range of art and cultural prizes awarded every year in the Federal Republic of Germany. ARD and ZDF jointly run the international television competition "Prix Jeunesse" (Munich) and "Prix Futura Berlin (West)".Other coveted prizes are the Adolf Grimme Prize awarded by the German Adult Education Association and the Jakob Kaiser prize donated by the Federal Ministry for Intra-German Relations. The "Bambi" and "Golden Camera" prizes are particularly popular with actors and actresses, directors and presenters. Both were launched by popular magazines, as was the "Golden Screen" for the best TV critics. The main radio prize is the Radio Play Prize donated by the War Blind of Germany organisation. Several other institutions, including trade unions, donate valuable prizes, notably the Television Prize of the German Salaried Staff Employees Union and the "Paul Klinger Prize" given by this union's stage, film and television section. This prize goes to persons who have rendered "outstanding services" to the social needs of artists. Chancellor Helmut Schmidt was a recipient in 1975.

15. "Switch-on" rates measure popularity

Whilst, in radio, only sporadic surveys are made of listeners' preferences and habits, this done continuously for television. Since 1st January, 1975, ARD and ZDF have made use of a new process known as "telescopy" developed by two large opinion research agencies. This keeps a constant check on the viewing habits of television viewers in the Federal Republic of Germany and in Berlin (West). The basis of this permanent survey is formed by 1,200 households with around 3,200 people. So-called "Telescomats" — electronic measuring and storage devices – are fitted to the television receivers in those households.

In weekly reports, the television stations are given precise charts showing the average rate of viewing, the number of viewers in total and per TV set and a breakdown into various socio-demographical categories (such as schooling age, sex, etc.). These extremely detailed reports give editorial departments and programme chiefs an accurate account of the impact of their programmes on viewers. Conclusions are drawn from the viewing habits thus elucidated: transmission times of programmes are altered, programme concepts changed.

Unpopular programmes are taken off the air or the duration of popular programmes is extended. On the other hand, it is also possible to take lower viewing ratings into account deliberately for the sake of quality programmes or programmes aimed at important viewerships.

However, under the public broadcasting system in the Federal Republic of Germany, endeavours for a viewer-orientated programme are not subject to the compulsion to attract large numbers of viewers, maximisation of switch-on ratings or satisfaction of mass tastes. But the wishes and needs of the general public are taken into account, which is the whole point of the permanent monitoring of switch-on ratings.

16. The important role of advertising

Advertising has been part of broadcasting almost as long as programmes have been transmitted in Germany. Banned by the National Socialists in 1935, radio advertising was resumed by individual stations in 1948. Unlike television advertising introduced later, radio advertising in the Federal Republic of Germany is not uniform. The biggest broadcasting corporations – Westdeutscher Rundfunk and Norddeutscher Rundfunk – have no radio advertising at all. But the volume of radio advertising in other stations varies, since there are no time limitations and regulations.

In 1956, Bayerischer Rundfunk became the first station in the Federal Republic of Germany to introduce television advertising. TV commercials were a matter of heated controversy in the 1960s, particularly among newspaper publishers who regarded this form of advertising as a competitive threat to their very existence. But when a State treaty was concluded limiting the daily maximum of advertising time in television programmes broadcast by ARD and ZDF to 20 minutes each for the transmission of "hard commercials" – pure commercial "spots" without framework programmes – and also laying down that there be no advertising after 9 p.m., and when the broadcasting corporations confined "commercials" almost exclusively to brand-name advertising without local "spots", television advertising became largely accepted.

At first glance, the transmission of advertising in a non-commercial broadcasting system appears self-contra-

dictory. On the other hand, this media-policy compromise offers a variety of advantages. Certain limitations and regulations ensure that printed media largely financed through revenues from advertisements are not endangered by excessive electronic competition. The fact that commercial advertising programmes, too, are subject to the principles underlying broadcasting corporations governed by public law makes high demands in regard to the make-up of commercial "spots" and so-called "framework" programmes which largely avert the negative effects of purely commercial interests.

The proportion of direct and indirect revenues from advertising programmes is somewhere between 20 and 50 percent of overall revenue – depending on the individual corporations – with ZDF enjoying the highest percentage share. This is a result of the fact that, in the case of ZDF, with only one overall programme, there is a different relationship between advertising and programme volume, between income from viewers' license fees and commercial advertising revenue. Only the ZDF State Treaty explicitly lays down financing through advertising alongside income from licenses.

With a net turnover of more than DM 1,000 million per year, radio and television advertising has established itself as a major medium on the advertising market. Measured in terms of turnover, television advertising is in fourth place, radio advertising in seventh place among the leading advertising media in the Federal Republic of Germany. All in all, in the ten-year period from 1970 to 1980, the total turnover of radio and television advertising more than doubled from 684 to DM 1,400 million.

In the Land broadcasting corporations, radio and television advertising is handled by limited companies which are 100 percent subsidiaries of the stations, surrendering to the respective corporations their profits and other revenues emanating from the transmission of advertising. with the financing of ZDF through license revenues and advertising income contractually laid down, ZDF has no subsidiary, but merely a special department responsible for television advertising within the corporation.

17. Production formats and international exchanges

Apart from journalistic and artistic activities, programme production is the second major task of international broadcasting operations. (Administration and engineering also have a specific character, but one which is explicitly subordinated to, and in the service of, programme duties). The normal forms of production in broadcasting corporations are in-house programme contributions based on corporation programme facilities and amenities, with full editorial responsibility. In this, distinction must be made between pre-productions – for example television plays or radio plays, music programmes, documentations, courses and educational programmes, etc. – on the one hand and current affairs productions such as coverage of day-to-day happenings in the fields of politics, culture, economics and sport and transmission of major events on the other.

The second form of production is co-productions involving co-operation with German or foreign partners, usually another broadcasting station, whereby the sharing and apportionment of personnel and financial participation by individual partners can be very varied. Also commonplace are commissioned productions, produced by a third party such as a film or television production concern at the expense of the commissionning station, with far-reaching "co-determination" rights for the producer. Furthermore, there are joint transmissions, i.e. the simultaneous or non-synchronous output of a programme contribution from another station, usually by cost-free exchange of programmes. And finally, there is the purchase of programmes, in which transmission rights for completed programme contributions are obtained through license payments.

Naturally, programme exchanges, co-productions or the purchase or sale of programmes take place not only at national, but also at international level. ARD and ZDF international relations are extremely important and widespread. Primarily, there is their membership of the European Broadcasting Union (EBU/UER) and the resultant co-operation in all broadcasting matters of a legal, technical and programme nature.

Furthermore, in these spheres, broadcasting corporations maintain numerous bilateral contacts and co-operate with other international broadcasting organisations, such as the Organisation Internationale de Radiodiffusion et Télévision (OIRT), the Asian Broadcasting Union (ABU), the Arabian States Broadcasting Union (ASBU) or the Union des Radiodiffusions et Télévisions Nationales d'Afrique (URTNA).

In the television sector, ARD and ZDF are important suppliers and takers in "Eurovision" programme exchanges, using a permanent network. They are also involved in "production pools" formed to facilitate transmission of important events such as the Olympic Games or world championship competitions.

Multilateral co-operation in the second radio sector also embraces – to mention only a few examples – involvement in series such as "Eurojazz", the UER concert season (in which between six and eight concerts are held annually at various venues in Europe and broadcast "live" to fourteen countries) or the International Radio University. The Université Radiophonique et Télévisuelle (URTI) in Nice, founded in 1949 on the initiative of French radio, incorporates broadcasting organisations from more than fifty countries. The International Radio University is aimed at providing an overall insight into world-wide research and cultural activities. To this end, it gives academics from

virtually all spheres of university life, writers and experts the opportunity to report on their work. In the selection of subjects, endeavours are made to choose problems which, because of their topicality, can be of special importance to broad masses of the public, and to have them dealt with by competent experts. Social scientific, humanities and natural science disciplines are treated in as balanced a relationship as possible. Among all member countries, France provides the largest proportion of URTI programmes. For many years now, the Federal Republic of Germany has been second biggest contributor of programmes.

Apart from these efforts within the framework of multilateral co-operation, much of this co-operation takes place at bilateral level. For example, broadcasting corporation 'X' in Italy will offer station 'Y' in the Federal Republic of Germany a particular programme. Guidelines for this type of bilateral exchange of programmes have been agreed within UER. But international broadcasting organisations, co-productions or programme exchanges form only one part of international relations in this field. Another eminently important area involves foreign correspondents. ARD and ZDF maintain closely-knit networks of correspondents throughout the world.

18. Media aid for developing countries

Radio and television programmes from the Federal Republic of Germany are sent all over the world. The growth-countries of Africa, Asia and Latin America receive these programmes free of charge. In this, special mention must be made of the world-wide transcription service of Deutsche Welle in Cologne. This service provides a reservoir with the aid of which even broadcasting organisations with no correspondents in the Federal Republic of Germany can include in their programmes contributions from and about this country.

German television programmes are sent free of charge to Third World countries by way of the Trans-Tel corporation founded in 1965, in which ARD, ZDF and the Federal Government are involved. In order to familiarise television viewers in these countries with political, cultural, economic and social affairs in the Federal Republic of Germany, Trans-Tel adapts and translates German television programmes, particularly music, sport, documentations and current affairs.

Of course, aside from these cost-free deliveries, programmes – particularly television programmes – are also sold. This is done by way of special distribution companies set up by the broadcasting corporations. International purchase of television programmes, particularly entertainment films and series, is handled centrally for ARD by the firm of DEGETO-FILM GmbH, based in Frankfurt; this is owned jointly by the individual regional corporations. In the case of ZDF, the same functions are handled by departments integrated into the corporation.

Another feature of the international relations of broadcasting corporations in the Federal Republic of Germany is the development aid rendered by German broadcasting corporations for Third World countries. Of course, this goes beyond the supply of free radio and television programmes. German broadcasting stations are involved in a wide variety of ways in the provision of development assistance to growth countries. For example, in collaboration with the respective government organs, they send in experts to advise, plan and execute broadcasting projects in African, Asian and Latin American countries; they also offer material assistance and, in many cases, have close partnership links with broadcasting enterprises in developing countries. They render technical assistance in establishing and expanding broadcasting stations and in working out programme schemes. For many years now, radio and television specialists have been trained in broadcasting stations in the Federal Republic of Germany for duties in these countries. There are also central training facilities. Sender Freies Berlin runs courses headed "programme" and "technology" for foreign TV specialists while Deutsche Welle in Cologne gives journalistic and technical instruction to foreign radio specialists.

19. New developments on the market

Public broadcasting corporations will have to hold their own in the sphere of new communications technologies – a field in which their competence has been questioned by various political and economic lobbies. New electronic developments in the field of television transmission have attracted rising numbers of viewers in the Fed-Republic of Germany. For example, picture "discs" and sound-picture cassettes enable every television owner whose set is equipped with a special device to see the programme of her or his own choice. Anyone can purchase programmes of their own choice and play them, quite independently of programme timetables. In effect, this creates a "Fourth Programme", in which ARD and ZDF programme directors have no say.

A cassette machine unveiled at the 1981 International Radio and TV Exhibition in Berlin (West) is capable of holding 13 hours of recordings. The machines contains three special cassettes, with a third in the video-recorder. It can maintain uninterrupted recording, and can be spooled back as desired. A wide range of interesting new video programmes presented by a German firm attracted a great deal of interest at the exhibition. These extend from autogenic training and painting to recipes, briefings on wine-making, ski gymnastics, sports instruction and wind surfing.

One of the main highlights of the Berlin exhibition was the launching of stereo sound in television. This innovation

developed in the Federal Republic of Germany uses two separate sound channels. This has the advantage that viewers can alternate between the right and the left sound channel, switching the corresponding loudspeaker on or off at will. This makes it possible, for example, to choose between original sound and German synchronisation in the case of foreign film screenings. However, for the moment, only ZDF can offer this "optimum sound and good picture". For cost reasons. ARD does not plan to introduce stereo sound until 1983.

TV video games are almost commonplace for many TV owners in the Federal Republic of Germany. These can be connected to any TV set without difficulty. Originally rather simple, later controlled by micro-processors, they are nowadays more than just "fun". There are now TV games which are highly instructive, examples being the road safety series recently put on the market. One technical innovation shown at the 1979 Berlin radio and TV exhibition has a well-established following. This is a colour TV set which transmit two programmes simultaneously in picture and sound. Called "picture-in-picture", it enables the viewer to see, in a corner of the screen, what's running an another channel, and to listen to it with the aid of headphones.

Another very popular item is the first colour TV projector manufactured in Europe. First put into standard production in Nuremberg in 1979, this gives an image measuring 100 × 130 centimetres, about six times the size of the picture given by a set with a 66-centimetre tube. The projector includes a complete TV reception section with Hi-fi sound and infrared control. It can be "hooked up" to a videorecorder, a TV camera, A transparency projector or a film transporter as additional image sources. The quality and brilliance of the large-scale picture also permit it to operate effectively in subdued daylight. The slightly concave screen surface is a plastic-coated, high-reflectivity alluminium foil. German experts believe a "plastic" picture is also technically feasible, but would cost too much.

20. The test has been passed

Broadcasting governed by public law, independent of the State and organised on a non-commercial basis has proved its worth in the Federal Republic of Germany. The technical standard of programmes and production is among the highest in the world. Programmes on the whole are of high standard, enjoying great prestige both at home and abroad. Public opinion-forming would appear unthinkable without the reports, analyses and commentaries contained in radio and television programmes – and it's much the same with the artistic impetus and impulses emanating from broadcasting to the indispensable advantage of intellectual life in the Federal Republic of Germany. The new moral, political and aesthetic beginning made in Germany in 1945, the development of the republican entity and of concomitant consensus would not have flourished so well without broadcasting. Taking account of all existing grounds for criticism, the pros and cons of the role of broadcasting as a medium of opinion-forming and as an important factor in all processes of political, social and artistic articulation in society are weighed heavily towards the positive side. But at the same time, the future of the communications world, with its recognisable technological innovations, brings major challenges to the system as it exists today.

C. The German Press – yesterday and today

Despite the existence of radio and television, newspapers and periodicals are still the most popular information media in the Federal Republic of Germany. The statistics speak for themselves: between 1950 and the beginning of 1981, the circulation of daily newspapers doubled, from 10 million to 20.4 million sold copies. The circulation of Sunday newspapers increased tenfold to 3.6 million and that of weekly papers threefold.

The German Press is free. The degree of Press freedom in the Federal Republic of Germany is very high by comparison with almost all other countries in Europe and the rest of the world.

Immediately after the Second World War, the licensed Press in occupied Germany was subject to pre- and post-censorship by the Allies. In 1949, when licensing had been dispensed with, the German media were launched into a phase of unprecedented Press freedom. But there was still a long way to go to full freedom of expression and press, which today is anchored in Article Five of Basic Law (the constitution) promulgated in 1949.

The history of the Press in Germany goes back to the 17th century. However, in the mid-15th century following the invention of book-printing by Johannes Gutenberg Press products did appear in the form of sporadic one-page products. The "periodical Press" began its life at the start of the 17th century, at the same time initiating the struggle against censorship laid down by the church and political leadership. One of the first "big" German newspapers was the "Magdeburgische Zeitung", published by the Faber-Verlag in Magdeburg (now in the GDR). Technological advances – chiefly in the 19th century – revolutionised the Press and led to the emergence of mass-circulation papers. In 1811, Friedrich König invented a fast press and "The Times" of London was one of the first newspapers to be printed on it. In Germany, König's homeland, his invention was introduced by a Berlin paper in 1823. One of the consequences was that the

"Vossische Zeitung" switched to daily publication in 1824. The first German rotary printer was built in Augsburg in 1872. The year 1885 saw the first type-setting machine – the world famous "Linotype" – launched in America, the chosen homeland of its inventor, Ottomar Mergenthaler of Württemberg. This made it possible for newspapers and periodicals to boost their circulations into the millions.

Germany already had a reputation as a country of many newspapers by the turn of the century. As regards their intellectual and political persuaisions, there was wide variety and colour. Most papers had particular political allegiances and it was generally known which direction they followed or whether they were independent. There was further sub-division into religious convictions. In the Weimar Republic, by far the most newspapers – almost 600 in number – were Roman Catholic-orientated, which meant that they supported the "Zentrum" or the Bavarian Popular Party. The Social Democrats ran almost 200 papers, the Communists 50. The big, most widely read newspapers – brilliantly made, lively and intellectual, such as the "Berliner Tageblatt" under Theodor Wolff or Georg Bernhard's "Vossische Zeitung" – followed the liberal line, favouring the left-orientated citizenry. Furthermore, there was a small group of newspapers loyal to the middle-class (Deutsche Volkspartei) and the industry-orientated parties. About 80 papers were rightwing conservative and "German national" (Hugenberg line, Verlag Scherl). The story of the German Press is largely also the story of freedom of expression and Press freedom. Federal acts of 1815 paved the way to Press freedom and a few individual federated states actually introduced it, examples being Württemberg in 1817, Bavaria and Baden in 1818, Hesse and Saxony in 1831, However, the political Press in these states, too, was still subject to censorship permitted by federal law. The first comprehensive guarantee of Press freedom under the law of the State in Germany was contained in the "Reich Law of the Press", 7th May, 1874, which dispensed with censorship, licensing and deposits. With minor amendments, this continued in force throughout the Weimar Republic and still had validity in Germany after the Second World War until the individual states (Laender) issued their own Press laws after the founding of the Federal Republic of Germany.

Up until 1933, Germany was a highly developed country from a publicistic viewpoint. The National Socialist seizure of power put an abrupt end to all this. Between 1933 and 1945, Germany had no such thing as a free Press.

The Nazis exerted strict control over the media through rule by edict. Only a few weeks after the Nazis came to power, the "Emergency Decree for the Protection of State and Nation" was issued, virtually abolishing Press freedom. Numerous papers were banned. On the outbreak of war, the National Socialists clamped down even more ruthlessly on the German Press. Three sets of orders were issued, causing the closure of large numbers of publications. In 1941, 550 publishers were put out of action. By 1943, their number had risen to 950. The groups which bought up the newspapers by the dozen and integrated them into the mighty Nazi machine bore harmless-sounding names such as "Phoenix" and "Vera". By the final months of the war, the Nazis owned 82.5 percent of the total newspaper circulation capacity.

After 1945, the entire Press industry in Germany was subjected to major restrictions by the occupation powers. By introducing their licensing system, the Allies broke with Germany's past in the Press sector. License-holders took the place of private enterprise by individual publishers. While, in their zone, the Americans insisted on a stringently non-party-political line, the British sought papers with party allegiances which, however, were not permitted to fall into party ownership and control. The French used both systems or were quite content to accept the designation "independent".

1. Daily and weekly papers

Germany was long regarded around the world as the country with the most newspapers. At first glance, not much has changed despite the great collapse of 1945. In Germany during the Weimar days – between the two world wars – there were almost 5,000 daily papers. Of those, some 3,000 were circulated in the area now occupied by the Federal Republic of Germany. Judged against these figures, today's total of 1,240 appears rather modest. But this country still has a plentitude of newspapers by comparison with other European countries and, indeed, even the United States. This probably reflects certain German characteristics such as love of homeland, regionalism and, not least, loyalty to old-established newspapers, many of which have been in the hands of one family for generations.

In the Federal Republic of Germany, some 400 publishing concerns publish a total of 1,244 separate editorial issues, including local and regional papers. "Editorial issues" are papers distinct from one another in content and title. Of the editorial units, however, only 122 are so-called "full editorials" (publicistic entities) which generally hold exclusive editorial responsibility at least for the general political section of the paper. The number of full editorials, after rising to 225 between 1945 and 1954, has slumped by almost half in the wake of the series of mergers and closures in the German daily Press.

The total sales circulation of German newspapers is around 24 million copies (first quarter of 1981). Additionally, about 50 weekly publications are issued with a total sales circulation of about 1·9 million copies.

The biggest circulation among daily papers is that of the "Bild", which is also the most widely sold newspaper in Europe, followed by the "Westdeutsche Allgemeine Zeitung", the biggest regional paper in the Federal Republic

of Germany, then the "Rheinische Post", the "Münchener Merkur", the "BZ" of Berlin, the "Hamburger Abendblatt" and the supra-regional papers "Süddeutsche Zeitung", "Frankfurter Allgemeine Zeitung" and "Die Welt".

Among weekly papers, "Die Zeit" has the biggest readership. Another leading German weekly is the "Deutsche Allgemeine Sonntagsblatt", founded before the Federal Republic came into being. The organ of the German Trade Union Confederation, "Welt der Arbeit" published in Cologne, appears weekly with a circulation of 40,000. "Vorwaerts", a Bonn weekly associated with the Social Democratic Party of Germany, sells around 50,000 copies.

Table 1: Newspapers in the Federal Republic of Germany

Newspapers

Period under review	Total			Daily newspapers [1]			Weekly newspapers [1]		
	Total	Circulation in millions		Total	Circulation in millions		Total	Circulation in millions	
1st quarter		Printed	Sold		Printed	Sold		Printed	Sold
1955[2]	495	16.0	14.3	471	14.5	13.0	24	1.5	1.3
1960	546	19.6	17.7	534	17.0	15.4	12	2.6	2.3
1965	552	23.4	21.2	497	22.1	20.0	55	1.3	1.2
1970	519	25.2	22.2	452	23.3	20.7	67	1.9	1.5
1971	508	24.6	21.7	443	22.8	20.2	65	1.8	1.4
1972	485	25.2	22.2	467	23.3	20.6	18	1.9	1.6
1973[3]	469	25.9	23.0	454	24.0	21.4	15	1.9	1.6
1974	476	26.0	23.1	413	23.9	21.4	63	2.1	1.7
1975[4]	472	25.9	23.2	415	23.9	21.5	57	2.0	1.7
1976	465	26.5	23.7	410	24.4	21.9	55	2.1	1.8
1977	461	27.3	24.5	412	25.2	22.7	49	2.2	1.8
1978	460	27.9	24.9	411	25.8	23.1	49	2.1	1.8
1979	459	28.3	25.2	410	26.2	23.4	49	2.1	1.8
1980	454	29.1	26.0	407	27.1	24.1	47	2.0	1.9
1981	449	29.1	25.9	402	26.9	24.0	47	2.2	1.9

[1] From 1965, Sunday editions of daily newspapers and topical Sunday papers have no longer been listed as "weekly papers" but as "daily papers", while regional weeklies were excluded from the category "daily papers".
[2] 1955: period under review 1st half-year
[3] 1973: period under review 4th quarter
[4] 1975: period under review 4th quarter 1974.

2. District newspapers, advertising sheets and supplements

Publicistic augmentation of the daily press in the Federal Republic of Germany in recent years has come in the form of Press products which do not appear daily, but are locally orientated. Today the daily newspaper presents itself as a medium which establishes communication at supra-local level. Only about one in five daily newspapers is devoted exclusively to local affairs in a community. The vacuums existing between the normal field of communication covered by most daily newspapers and communication in the field of local affairs are therefore filled by a plethora of other press organs. While they do not appear daily they are clearly orientated towards individual localities and have the advantage of being particularly close to communal affairs.

For example, the description "precinct newspaper" covers a variety of periodicals reporting exclusively on particular precincts, suburbs and satellite towns. This gives them the opportunity to perform pioneering work in the field of social integration. No comprehensive documentation has yet been compiled to elucidate the economic foundations of precinct newspapers. But it is an established fact that only this type of newspaper – complementary to the conventional daily newspaper – has scope for development.

So-called "freesheets", which are delivered without charge and unsolicited to private homes with more or less regularity, have attracted a good deal of attention recently. In the main, they are made up of "small ads", but almost always contain editorial material with a mostly local emphasis. The circulation of these papers fluctuates between 700 and 460,000. Just under 40 % of the frees-

Table 2: Largest-circulation papers

Newspaper	Published	Sold circulation, 1st half 1981
Bild	Hamburg	4·7 million
Bild-am-Sonntag (Sunday edition of "Bild")	Hamburg	2·5 million
Westdeutsche Allgemeine Zeitung	Essen	1·2 million
Rheinische Post	Duesseldorf	396,000
Muenchener Merkur	Munich	344,000
Welt am Sonntag (Sunday's "Die Welt")	Hamburg	326,000
Frankfurter Allgemeine Zeitung	Frankfurt	324,000
Sueddeutsche Zeitung	Munich	319,000
BZ	Berlin (West)	311,000
Hamburger Abendblatt	Hamburg	277,000
Die Welt	Bonn	216,000
Die Zeit	Hamburg	386,000
Deutsches Allgemeines Sonntagsblatt	Hamburg	130,000

heets are published either by a newspaper publisher or, at least, have some affiliation to such a publishing house.

"Supplements", small weekly illustrated papers contained in about half of all local and regional newspapers, enjoy great popularity. Their editorial section is basically a preview of radio and television programmes. The first of these supplements appeared in 1962. Today, there are 11 supplements with a total circulation of almost 9 million copies. Nevertheless, the "classical" radio and TV magazines have held their own, indeed managed to increase their circulation slightly. Broadcasting corporations in the Federal Republic of Germany have no programme journals of their own, leaving this lucrative field entirely to publishers.

3. Lucrative periodicals

There are more than 5,000 periodicals in the Federal Republic of Germany, among them around 2,300 trade journals, just under 600 popular journals, about 200 journals published by organisations and some 75 consumer journals. Federal Press statistics classify periodicals as "all periodical printed works with a consistent material content which appear at least four times a year, in as much as they are not newspapers". More than half of all periodicals – the sold circulation of which averages a total of 130 million copies per year – are published by approx. 1,250 publishing houses, the main revenue of which derives from the periodicals sector. About 25 % are issued by publishing houses concentrating on neither periodicals nor newspaper publishing; these are mainly book publishers. About 40 % of all periodicals appear weekly or monthly and a large percentage of them contain commercial advertising. In the first quarter of 1981, 1,026 periodicals with a sold circulation of 101,300,000 copies were registered with the so-called "Information Association to Monitor the Dissemination of Advertising Carriers" (IVW), including 277 public journals, 749 specialist publications and 30 consumer organs.

Among the weekly public periodicals, the most popular are "Stern", "Bunte Illustrierte", Neue Revue" and "Quick". Their circulations reach or exceed the one million marks. Some popular illustrated magazines such as "Tina", "Das Neue Blatt", "Brigitte", "Bravo", "Frau im Spigel" or "Für Sie" also sell more than a million copies – as does the monthly "Burda-Moden". The "Neue Post", in fact, has boosted its sales to almost two million.

"Hör Zu" is the leading radio and TV programme magazine, followed by "TV Hören und Sehen", "Fernsehwoche" and "Funk-Uhr". A special role is enjoyed by the weekly news magazine "Der Spiegel", the only primarily political public periodical in the Federal Republic of Germany. The top specialised periodicals are "ADAC-Motorwelt" (6·6 million), "Das Haus" (2·7 million), "Die gute Tat" and "Freizeit-Revue", each with 1·3 million circulation.

4. Free access to information

"Within the terms laid down in Basic Law, freedom of information stands equal to freedom of opinion and freedom of the Press. It is not a mere component of the right to freedom of expression and dissemination of opinion. Only comprehensive information, assured through adequate sources of information, facilitates the free forming and expression of opinion of the individual and of the community as a whole. After all, through comprehensive information, a free Press helps the public to form opinions and to take political decisions".

Table 3: Periodicals containing advertising

Period under review	Journals excl. consumer pubs.						Consumer journals[1])					
	Total			Public journals			Trade journals[1])					
	Total	circ. in millions		Total	circ. in millions		Total	circ. in millions		Total	circ. in millions	
1st quarter		Printed	Sold		Printed	Sold		Printed	Sold		Printed	Sold
1950[2])	475	30.4	25.6	–	–	–	–	–	–	–	–	–
1955[3])	561	56.6	51.7	250	34.2	30.3	311	22.4	21.4	–	–	–
1960	632	61.0	54.2	251	45.2	39.7	381	15.8	14.5	48	13.1	12.8
1965	702	69.2	60.7	247	51.3	44.7	455	17.8	15.9	50	18.4	17.7
1970	890	91.8	76.3	239	69.8	58.9	651	22.0	17.4	41	16.7	16.1
1971	893	97.0	80.7	231	72.5	61.2	662	24.4	19.4	36	17.3	16.8
1972	885	98.7	81.8	227	74.9	63.2	658	23.8	18.6	34	16.1	15.5
1973[4])	911	107.1	86.0	218	82.5	68.1	693	24.6	18.0	32	16.8	16.2
1974	903	102.6	84.2	219	78.2	66.3	684	24.4	17.9	32	16.4	15.7
1975	877	102.7	87.4	218	80.3	69.0	659	22.4	18.4	28	14.5	13.9
1976	875	104.9	88.4	222	81.9	69.2	653	23.0	19.2	29	14.7	14.1
1977	900	101.1	84.2	230	84.2	71.0	670	16.9	13.2	28	14.0	13.6
1978	925	110.6	92.5	234	90.8	76.9	691	19.8	15.6	28	13.5	13.1
1979	977	114.5	94.8	269	95.9	80.5	708	18.6	14.3	26	13.7	13.3
1980	1 002	121.2	99.7	273	101.2	84.3	729	20.0	15.4	29	14.4	14.0
1981	1 026	123.1	101.3	277	102.3	85.4	749	20.8	15.9	30	14.8	14.3

[1]) Up to 1955, consumer journals contained in trade journals
[2]) 1950: period under review 3rd quarter
[3]) 1955: period under review 1st half-year
[4]) 1973: period under review 4th quarter

Tabel 4: Highest-circulation periodicals (popular)

Newspaper	Published	Sold circulation, 1st half 1981
Neue Post	Hamburg	1·9
Stern	Hamburg	1·7
Tina	Hamburg	1·7
Burda-Moden (monthly)	Offenburg	1·5
Bunte Illustrierte	Offenburg	1·4
Brigitte	Hamburg	1·3
Das Neue Blatt	Hamburg	1·3
Bravo	Munich	1·3
Neue Revue	Hamburg	1·2
Frau im Spiegel	Lübeck	1·1
Für Sie	Hamburg	1·0
Quick	Munich	1·0
Der Spiegel	Hamburg	0·9

This definition by the Federal Constitutional Court of the public's right to information presupposes independent reporting and comment by mass media and information sources secure against intervention. The federal states have extended legal recognition to the right of the Press to information and committed the authorities to the imparting of information of all kinds. Information may be withheld only in special circumstances, for example if the expedient conduct of court proceedings is at risk of being prevented, obstructed, delayed or jeopardised, if a predominantly public interest or a private interest worthy of protection would otherwise be infringed, or if secrecy regulations would be violated.

Table 5 Highest-circulation periodicals (radio and TV magazines)

Newspaper	Published	Sold circulation, 1st half 1981
Hör Zu	Hamburg	3·8
TV-Hören und Sehen	Hamburg	2·6
Fernsehwoche	Hamburg	2·5
Funk-Uhr	Hamburg	2·4
Gong	Hamburg	1·0

The State's obligation to release information to the media can also be restricted in the event of danger to third parties. This was the case, for example, when Employers Federation President Hanns-Martin Schleyer was kidnapped in September 1977 and the Federal Government decided – in the interests of those affected and of the investigation – release no details about the state of negotiations with the kidnappers or about the investigation itself. This so-called "news blackout" applied only to the authorities. Legally, journalists were not prevented from reporting on the crime. However, most of them voluntarily withheld publication of facts obtained in spite of official silence.

In the Federal Republic of Germany federal, regional and local authorities have official Press departments. The information emanating from those is intended to elucidate for the general public the process of government and administration, to acquaint the population with the actions and intentions of governments and official authorities and to promote The State's obligation to release information to the media can also be restricted in the event of danger to third parties. This was the case, for example, when Employers Federation President Hanns-Martin Schleyer was kidnapped in September 1977 and the Federal Government decided – in the interests of those affected and of the investigation – to release no details about the state of negotiations with the kidnappers or about the investigation itself. This so-called "news blackout" applied only to the authorities. Legally, journalists were not prevented from reporting on the crime. However, most of them voluntarily withheld publication of facts obtained in spite of official silence.

public willingness to participate in public affairs. The 900-odd press services operated by offical bodies, political parties, trade unions and "lobbies" comprise a further source of information available to mass media in the Federal Republic of Germany. (About 250 of these services are free of charge.) Furthermore, there are Press releases by government ministries, party parliamentary groups, individual Members of Parliament and political fringe groups as well as innumerable Press conferences. The Press and Information Office of the Federal Government – the government mouthpiece – gives a Press conference every second day. At these Press conferences, government spokesmen are "guests" of the Press. They go to the journalists at the Press centre, where most correspondents have their offices. In addition, The Federal Press Office issues printed press releases. The Federal Press Office's "Bulletin" is the one and only official government organ. this incorporates statements by the Federal President, the Federal Chancellor and the Federal Government on topical questions and matters of basic principle. Invitations to attend Press briefings, working lunches and the like offer journalists further opportunities to procure facts.

5. Agencies supply most news

Newspapers and periodicals in the Federal Republic of Germany, however, obtain the major part of their day-to-day information from the five major news agencies, the Deutsche Presse Agentur (dpa), Deutsche Depeschendienst (ddp), Associated Press (AP), Agence France Presse (AFP) and Reuter. **Deutsche Presse Agentur,** formed in 1949 through amalgamation of the three news agencies of the Western occupation powers – DENA (US Zone), DPD (Bristish Zone) and SUEDENA (French Zone) – is a limited liability company with 189 shareholders of whom no one may hold more than 1·5 % of the basic capital. The shareholders are made up chiefly of publishers (78 percent), whilst broadcasting (10 percent) and weekly newspapers (12 percent) have smaller participations. This rule is designed to pre-empt the emergence of predominant majorities or one-sided grouping of interests. With its headquarters in Hamburg, this agency has major offices in Bonn and Berlin (East and West). dpa maintains more than 30 regional offices throughout the Federal Republic of Germany. It is accredited in around 70 foreign countries, with permanent bureaus in more than 60 of them. Apart from its domestic German service, dpa also disseminates a European service in German as well as overseas services in English, Arabic and Spanish. The dpa "basic service" transmits more than 200 separate reports daily from the "classical" newspaper sectors politics, economics, general news, the arts and sport. The regional services compiled by regional bureaus contain between 45 and 100 reports per day. The dpa photo-service is the leader on the German market. This service obtains its foreign

picture coverage chiefly from the American agency UPI (United Press International). Its news photos – about 60 per day – are divided roughly equally into domestic and foreign subjects. The dpa photo-service supplies pictures to more than 100 of the 122 full-editorial units of the daily Press in the Federal Republic of Germany, mainly by way of telegraphy or postal services. Radio photos also go to numerous weekly papers and illustrated magazines. The news departments of television corporations are also contracted subscribers.

The second largest German news agency, **Deutsche Depeschendienst** (ddp), was set up as recently as 1971. It was founded by journalists on the staff of UPI when the agency closed down its German-language service. ddp has its main office in Bonn, manned by about 20 journalists, and also maintains another seven offices throughout the Federal Republic of Germany. The English-language ddp service has its headquarters in London, the Swiss service in Berne. About 120 journalists throughout the world contribute to the ddp service. Journalistically, this smaller of the two main German agencies (dpa employs about 350 journalists and some 2,000 "freelances") strives to show more "personality". The daily output of about 40,000 words (50 % for home, 50 % abroad) is roughly comparable to the dpa Basic Service (excluding regional services).

In 1950, **Associated Press** (AP) founded a subsidiary to feed the German market. It is based in Frankfurt-on-Main and has roughly the same number of staff as ddp. Like dpa, AP operates a photo-service.

Agence France Presse (AFP) has been represented with a German-language news service in the Federal Republic of Germany since 1951; in 1971 this was extended to include German domestic news coverage. **Reuters** set up a German-language service for the German market at the end of 1971, but did not establish a German subsidiary company until 1978. This is based in Frankfurt on Main.

Aside from these 5 major agencies, numerous other news services, mostly specialising in particular subjects, operate in the Federal Republic of Germany. One example is Inter Press Service (Bonn), an offshoot of the Third World News Agency of Panama. New to the Bonn scene, it sees itself as the "Voice of the Third World", disseminating only news from developing countries.

Several medium and small newspapers have founded joint enterprises for the procurement of editorial material, among the most important of these being **Standortpresse. Vereinigte Wirtschaftsdienste GmbH** (VWD) markets only economic news. Other major suppliers of information to German newspapers are the two church news agencies Evangelischer Pressedienst (epd) and Katholische Nachrichten-Agentur (KNA) as well as the sports news service Sportinformationsdienst (sid). Springer AG operates its own news service at home and abroad – the **Springer-Inlandsdienst** (SID) and the **Springer-Auslandsdienst** (SAD). A number of notable picture agencies provide photographic material for a whole range of purposes such as illustration material for newspapers and periodicals, catalogues and brochures, calendars and record labels.

Table 6: Agency market shares among newspapers 1981

	dpa	ddp	AP	Rtr	AFP
Publicistic units supplied *	121	47	64	27	8
Subscribing daily newspapers	259	130	126	36	19
Sunday newspapers	3	2	3	3	–
Weekly newspapers	7	4	5	2	–
Sold circulation reached by agency (millions of copies)	20.4	8.0	16.3	10 0	6.6

*) Newspapers/newspaper alliances covering all spheres, or at least general politics in their own responsibility.

6. Press fusion slowing down

In the 1960s, the problem of "Press concentration" was the focus of attention in media-policy discussions when attention was drawn to a process taking place in the daily press and involving mergers between major popular publications. It is only recently that the trend of concentration, of the creation of larger operating units, has begun to slow down. Between 1954 and 1976, for example, the number of publishing houses classified as daily newspaper publishers declined by 221, from 624 units (with a total of 1,500 editorial editions) to 403 units (with a total of 1,229 editorial editions). Between 1976 and 1980, on the other hand, the number of publishing concerns decreased by a mere three to 400; in fact the number of editorial editions went up by 15 to 1,244.

The significance of these figures becomes plain if the period from 1964-67 is used for comparison. During this period, 38 newspaper publishing concerns ceased operating and the number of editorial editions dropped from 1,496 to 1,416. Parallel to this slowing-down process, the decline in the number of full-editorial units came to a standstill. Between 1954 and 1976, the number of full-editorials (publicistic units) declined by almost half – from 225 to 121. But by 1980, there were 122 full-editorials and by the 1st of April, 1981, there were 124 in the Federal Republic of Germany. Around one-third of these central editorial units compile the main news pages of about 75 percent of the total circulation of the daily Press. The

process of concentration/shrinkage in the German Press appears to have come to a standstill and the "dying" of newspapers to have come to an end.

Table 7: Overall view of Press statistics

Year	1) Publishers	2) Editorial editions	3) Publicistic units
1954	624	1,500	225
1964	573	1,495	183
1067	535	1,416	158
1976	403	1,229	121
1979	400	1,240	122
1980	400	1,244	122

1) **Publishing houses as publishers** are the publishers of main newspaper editions listed in daily newspaper glossaries.
2) **Editorial editions** describes each newspaper edition distinct from other newspapers by way of divergences in content (usually in local news sections).
3) **Publicistic units** are newspaper editions with a common "umrella" designation (generally identical at least to pages 1 and 2 of the topical news section).

What sparked off the process of merger and shrinkage in the German Press? There are many reasons, mainly of a financial and technical nature. As in other countries, large production units are formed in the Federal Republic of Germany in order, for example, to cope with the rising costs of manufacture and distribution of newspapers by means of rationalisation, to save taxes, to share risks, to form reserves for difficult economic periods or to meet competition from other Press organs or mass media (television). Rapid technological developments in the graphic industry – demanding continuous new purchases and the concomitant high investments for automation and new printing systems are other reasons for mergers between many Press organs. Political motivations and the exercise of power over other publishers through superior technical equipment and healthier financial resources cannot simply be dismissed. Plans to take precautions for "rainy days" may also have further boosted the concentration process. Publishers argue, furthermore, that the creation of large concerns makes it possible to preserve financially weak newspapers. However, experts say the main reasons for mergers are to be found in the resultant increase in profits and circulation yields, as well as the strengthening of market positions in regard to advertising customers. Advertising in big newspapers is not only organisationally simpler, but also cheaper, while guaranteeing maximum exposure of adverts. Advertising is the main source of revenue of daily newspapers and periodicals; some 5,300 million DM of the total turnover of daily papers (1980 around DM 7,800 million) represented advertising (periodicals DM 2,800 million of DM 9,600 million turnover).

7. Power media concerns

The present power structure in the German Press can be seen from a glance at the major corporations. About half of all daily and Sunday papers are published by only five groups of companies; the Springer concern alone issues around 28 percent of the total sold circulation of daily and Sunday papers (1st quarter 1981: 24 million copies). Almost 70 percent of the total weekly circulation of all public periodicals listed by IVW (85,4 million sold copies) are published by only four corporations, one third alone by the Bauer-Verlag.

Springer-Konzern, which publishes, among others, "Bild", "Hamburger Abendblatt", "Die Welt", "BZ", "Berliner Morgenpost", "Elsmhorner Nachrichten", the Sunday papers "Bild-am-Sonntag" and "Welt-am-Sonntag" and the radio and TV magazines "Hör zu" and "Funk-Uhr" and holds capital participations in other papers and publishing houses, is the biggest publishing enterprise in Europe. Springe employs about 12,000 people and its annual turnover is around DM 2,000 million. An even bigger work force – around 25,000 – is employed by **Bertelsmann AG** of Gütersloh, the largest "mixed" media concern in the Federal Republic of Germany, with 100 firms at home and abroad in its control. This publishing giant, whose world-wide annual turnover is around DM 3,000 million (a quarter of this outside Germany), supplies mainly leisure products, apart from academic and scientific literature, and more than 30 specialist periodicals. It also produces books, gramophone records, films and TV cassettes and has built up the world's largest network of book and literature clubs. Through its almost 75 percent share in **Gruner & Jahr,** Bertelsmann also gained access to the lucrative advertising market offered by public-sale periodicals.

The **Gunner + Jahr Group** (around 5,000 employees, annual turnover some DM 1,000 million includes among its publications the periodicals "Stern", "Brigitte", "Eltern", "Capital", and "Yps" and holds participations in "Frau im Spiegel", the news magazine "Der Spiegel" and other products ("Auto-Motor-Sport", "Sport-Auto", etc.). The **Heinrich Bauer-Verlag** (Hamburg), a family-owned business, publishes, among other products, "Neue Revue", "Die Neue Post", "Tina", "Bravo", "Das Neue Blatt", "Neue Mode", "Riesen-Rätsel-Revue", "Auto-Zeitung and the radio and TV magazines "Fernsehwoche" and "TV-Hören und Sehen". Bauer also owns several publishing concerns producing specialist periodicals, patterns and soft-cover novels. Also family-owned is the **Burda-Verlag** of Offenburg, with publications such as "Bunte", "Freundin", "Das Haus", "Bild und Funk", "Burda-Moden" and "Freizeit-Revue".

Another leading Press concern in the Federal Republic of Germany is the Suttgart-based **Verlagsgruppe Georg von Holtzbrinck,** also family-owned. Apart from participa-

tions in publishing houses and book clubs, it also owns shares in "Wirtschaftswoche" and the daily "Handelsblatt" and "Saarbrücker Zeitung". The group sold its shares in the weekly paper "Deutsche Zeitung – Christ und Welt" (85 percent) to the weekly paper "Rheinischer Merkur" in 1979. The two papers have been merged.

A further important enterprise is the **Jahreszeitenverlag,** owned by the Ganske family in Hamburg. Its products include "Fuer Sie", "Petra" and "Zuhause". The firm has a participation in the "Rheinische Merkur" and interests in the audio-visual market. On the daily paper scene, the **Zeitungsverlagsgesellschaft Brost & Funk** has pushed its way to the foreground. It publishes the "Westdeutsche Allgemeine Zeitung", a"concentration octopus" which has swallowed up 17 local papers. The firm also produces several freesheets and has majority shares in the "Westfälische Rundschau", the "Neue Ruhr Zeitung" and the "Westfalenpost" newspapers. Another leader is the **Stuttgarter Zeitungsverlag** with some 30 titles and a total circulation of 1.3 million, including the "Stuttgarter Zeitung", the "Stuttgarter Nachrichten", "Die Rheinpfalz", the "Südwestpresse" and the "Schwarzwälder Bode".

8. Dissipated employment market for journalists

Since the low-point experienced in 1973/74, the employment situation for journalists in the Federal Republic of Germany has improved considerably in recent years, but is still a divided scene. A close examination of the situation of daily papers, for example, reveals a great demand for local reporters. While there are few vacancies for political and arts writers, there's a heavy demand for economic and financial journalists.

Compared to daily newspapers, which employ some 8,000 full-time journalists in the Federal Republic of Germany, the weekly paper market is very small, notwithstanding the fact that, for journalists specialised in particular fields, there will always be openings on the big weeklies.

The same is true of periodicals, in particular of trade publications and other journals, which are always on the lookout for specialised writers. There's a highly espansive market for journalists in the press and PR offices of industry and administration, which already employ around 6,000 Former journalists. A glance at the job market for journalists shows that the trend among many firms and organisations towards increasing their PR staff is continuing. But the prospects of finding a job in radio or television are not so rosy. Jobs there are in great demand but small in availability because, in recent years, many „freelance" writers have succeeded in obtaining full-time employment on radio and TV stations. For the foreseeable future, most established posts are occupied.

From the work point of view, the situation of freelance journalists is good. But the majority of freelance writers have a worrying time because of lack of social welfare protection. There are a few freelances who earn big incomes but an average of 3,000 DM a month is meagre when it's considered that he or she has to pay sickness and pension insurance in full and bear in mind the fact that, on holiday, money is being spent but none is being earned. The problems facing freelance journalists look somewhat different if the individual concerned writes so much for only one newspaper, periodical, press department or institution that this yields a legal entitlement to "employee-level status". In such cases, this secures at least a proportion of the social security enjoyed by full-time editorial staff members.

9. The German Press Council – a "self-control" organ

Some of the tasks which the German Press Council has set itself are: "To protest Press freedom, to preserve the prestige of the German Press, to secure unhampered access to news sources, to detect and eliminate aberrations of the Press". Others are representation of the Press vis-à-vis Government, Parliament and general public, observation of the structural development of the German media and submission of recommendations and guidelines for publicistic work. The German Press Council was set up in 1956 as a sort of „self-control" organ of the Press and as an instrument to monitor and guarantee its independence.

The Press Council also functions on behalf of German journalists operating outside the Federal Republic of Germany to ensure that they are not hampered in their work. For example, the Council strongly condemns the expulsion from the German Democratic Republic of correspondents from the Federal Republic of Germany and call upon the GDR to observe the spirit of the Basic Treaty concluded between the two German states, the principles of Helsinki and the pronouncements of the Media Declaration of UNESCO.

The Council is made up on a basis of parity of twenty journalists and publishers. It has an additional member who is also Chairman of the Complaints Committee established by the Press Council. The Council is an amalgam of personages from the press world in the Federal Republic of Germany, enjoying equal rights, independence and with no obligation to receive instructions. It has no powers of sanction, and cannot exercise censorship nor can it ban individuals from the profession. Although it performs no executive function, merely issuing recommendations and censors, the Council enjoys a large measure of authority. It co-operates in the creation of press legislation at both federal and regional levels.

The Code of Conduct for the Press drawn up in 1973 by the German Press Council in co-operation with the various press organisations lays down internationally accepted principles of professional conduct to be observed by German journalists. These basic principles are designed to preserve professional ethics, but do not constitute liability grounds. Among other things, they declare that respect for truth and truthful imparting of information to the public should be the supreme commandment of the Press, that editorial publications must not be influenced by the private or business interests of third parties, that the Press must respect the private life and intimacy of individuals and that no one shall be the victim of discrimination for reasons of racial, religious or ethnic allegiance. The Press Council insists that, for every journalist, "wherever he may be working, the foremost duty must be to check with utmost thoroughness the veracity of news he or she intends to publish."

The Press Council believes, too, that this committment to thoroughness must also include the publication of readers' letters. "The responsible journalist bears responsability under press laws for readers' letters containing detrimental factual assertions about a recognisable third party", the "press code of conduct" declares. In the Federal Republic of Germany the law states that periodical printed matter must be placed in the hands of a "responsible editor". His job is to scrutinise all material intended for publication and to avert the publication of material with a content punishable by law. It is specifically required that the journalist in charge takes personal cognizance of the contents of all matter published in his particular period. If he delegates this duty to other persons, he is guilty of flagrant violation of duty.

The publicistic principles underline the obligation to publish replies and counter-versions in accordance with journalistic fairness and to correct forthwith published news or assertons later shown to be erroneous. It is further stated to be a "an obligation of journalistic decency" in such cases not only to publish the true facts but also to declare in a manner visible to the reader that the previous report was wholly or partly incorrect. The counter-version need not be confined to pure negation but may contain amplifications as a means of presenting a clear account. An individual who is unnamed but recognisable to the readership also has the right of reply. Furthermore, anyone not identical with a person referred to in a report but prone to being mistaken for that person has similar rights.

The Press lives from information. It must be in a position to protect the identity of informants as a means of ensuring that sources of information are not impeded. If the Press had to rely entirely on official information sources, it would be unable to do sufficient justice to its duty to inform. For this reason it requires the collaboration of private individuals. For this reason, the Press has been conceded **the right to refuse testimony** in order to realise its political functions. The "Law on the right to refuse testimony" (1975) grants "persons professionally active in Press and Broadcasting the unrestricted right to refuse testimony, confined to the editorial component of periodical printed matter and broadcast programmes".

Running parallel to the law governing refusal of testimony is a regulation forbidding the confiscation of documents and printed material "in the possession of persons entitled to refuse testimony, the editorial department, the publishing-house or the printing works". This is designed to prevent facts which may be concealed under the terms of the right of refusal of testimony from being disclosed by the devious means of confiscation. The ban on confiscation does not apply when the individual entitled to refuse testimony comes under suspicion as a perpetrator or as a party to a punishable act. The publicistic principles laid down by the German Press Council contain the admonition that "every person employed in the Press must safeguard professional confidences, make use of the right of refusal to testify and desist from disclosing the identity of informants without their explicit permission". It is regarded as a tenet of fair reporting to publish censure publically uttered by the German Press Council.

10. Bonn – City of journalists

When the little university town of Bonn became the capital of the Federal Rupublic of Germany in 1949, it inspired a great deal of humour. Bonn was laughingly described as "pensioners' city", the "sleepy, dreamy university village" with a "boring cultural life". But all this was silenced within a few years when the Federal Republic of Germany had become a factor in world affairs.

It's still said that Bonn is really rather provincial, its dull night life being far from conparison with Paris, Rome, London and other capitals. On the face of it, this may be true because, with only about 300,000 inhabitants, Bonn is no metropolis. But in the narrow confines of the Rhine valley and the cheerful Rhineland landscape, political happenings behind the old and the new facades of the city are no less significant than in any other capital city in the world.

Nevertheless, the Germans do not have a capital which, in every sense, is the country's focal point, which is not only the political and administrative but also the economic and cultural nerve centre – despite the growing importance of other German cities. Any realistic assessment of the world situation makes it obvious that the former German capital, Berlin, will not assume this function again in the foreseeable future. So the most important Press centres in the Federal Republic of Germany are to be found not in **one** but – like the theatre and other cultural institutions – dispersed among many cities. In this way, the many-sidedness of the Press in this country also finds expression in the diversit, of the locations in which it is

published. In contrast to the pre-war days, during which Berlin was the epicentre of the German Press, there are several Press centres today, the main ones being Hamburg, Munich, Berlin (West) and Frankfurt on Main.

So Bonn is not a city of the Press. However, it is a city of journalists, of correspondents and writers reporting from the capital or working in other functions in the political, administrative, economic or diplomatic spheres. The Federal Press Conference has a membership of about 400 German newpaper correspondents. Every week, it arranges two or three Press conferences at which the government spokesman, or, when the occasion demands, the Federal Chancellor, a cabinet minister or a visiting foreign statesman is the guest. About 300 foreign correspondents who are members of the Foreign Press Association also take part. Political life in Bonn takes place within the immediate environment of the Parliament building – most Press offices are also within this confined area – so it's obvious that journalists in Bonn find their work convivial owing to the easily accessible sources of information and the generally cordial attitude to the Press.

D. Training of journalists

1. Journalism – an "open" profession

Some 25,000 people in the Federal Republic of Germany are at present full-time journalists, 15,000 in the printed Press, the remainder in radio and television, federal, regional and local authority Press departments, industry, administration and other institutions. They are either salaried staff members or "freelances" receiving honoraria for their services. Naturally, the number of part-time journalists – those with other occupations who occasionally contribute journalistic work – is much greater. But all of these categories can claim to be professional journalists. In contrast to other professions, such as architect or chemist, anyone can lay claim to being a journalist without having to prove any particular education or other quantification.

Article 5 of Basic Law lays down that the journalistic profession must be open to anyone. This has an understandable historical background. Deterred by the experiences of the Nazi era, in which membership of the so-called "Reich Press Chamber" and practice of the profession were made conditions for anyone wishing to engage in journalistic activities, the authorities opened up the profession to anyone wishing to enter it after 1945. The idea was to ensure that no one should be denied the right to express and publish opinions. "Admission examinations for the journalistic profession", it was argued, "could lead to the elimination of 'unwanted' individuals and must therefore be rejected". While there is no set pattern for the training and practice of journalism, attempts have been under way for some time now to define the profession in specific terms. The idea of a free Press and thus of a free journalistic profession is still very valid; but, in the closing years of the century, journalists are no longer "Bohemians" who sit around in cafes debating and offer their assertedly world-shaking articles to editors. Today, the majority of them are "organised" employees. Their professional interests are represented by the German Journalists' Association (DJV), which has a membership of around 13,000, by the German Journalists' Union (dju), the Print and Paper Union (some 6,500 members), the Radio, Television and Film Union (RFFU), the Artists' Union (about 6,000 members) and the German Salaried Staff Union (DAG), in which there are around 100 journalists. Salaries are laid down by collective bargaining agreements concluded annually between publishers and the journalists' organisations. The level of journalists' salaries depends on their age, professional experience and the circulation of the newspapers employing them. For example, under the current "umbrella" collective bargaining agreement for daily newspaper journalists (1st May 1981, salaries range between DM 2,500 and 4,300 monthly. Senior journalists and departmental editors earn more.

The fact that "star journalists" can earn a good deal more is less surprising, perhaps, than that the majority of staff journalists are paid more than the minimums laid down by collective bargaining agreement. This agreement additionally provides for a 13th month's salary, between 30 and 35 working days annual holiday for those working a five-day week, holiday pay (currently 60 percent of a month's earnings) and employers' contributions to retirement benefits.

2. "On the job" training most common

Many young people's dream is to become a journalist. Because the profession is open to all-comers, there is no statutory training programme requiring the approval of the respective employees' and employers' organisations. So there are many access roads into journalism – some of them via training programmes – which have little or nothing to do with the profession as such – such as commercial advertising, the administration, industry, political parties, the sciences or various organisations and institutions.

It has become increasingly accepted in recent years that there's really no such thing as a "born journalist". Above all, the journalist whose function is to communicate and

interpret information requires the ability to acquire knowledge. This can happen in a variety of ways, among them via university studies tailored to the needs of the journalistic profession.

Around 75 percent of trainee journalists in the Federal Republic of Germany enter the profession by way of a "volunteer period", and – with only few exceptions – are trained only by daily newspapers. Free access to the profession does not preclude certain minimum requirements being made of candidates. Generally speaking, education to university qualifying standard or completed vocational training are regarded as the basic requirement for employment as trainee journalists. Details of the training of "volunteers" are laid down in a so-called "agreement on training guide lines for editorial trainees on daily newspapers and in the journalists' organisations. This is designed chiefly to ensure that aspirants are trained in all newspaper editorial departments, but at least in the local and political sections and one of three others – the arts, economics and sport. The training of a photo-reporter covers photographic-journalistic duties. The training of a journalist usually takes two years, and twelve months in the case of most university graduates. An experienced journalist must supervise the training of trainees and, in addition there are special inter-company courses such as those operated at training centres.

The chances of obtaining a trainee-post are very varied. In the years of recession (1973—74), many newspapers scrapped their training programmes but since 1975 daily newspapers have shown more inclination to take on young trainees. In the intervening period, the number of trainees hired by newspaper publishing concerns has doubled from 499 to more 1,000.

But there is still a shortage of training places. In recent years there has been a growing tendency to employ only trainees with the university qualifying standard or, indeed, with university qualifications. Some papers employ trainees only after they have proved themselves through work as freelances. It is still relatively easy to obtain traineeships with low-circulation newspapers at some distance from big cities. On principle, foreigners, too, are able to obtain trainee-employment with German newspapers, but they are advised, first, to apply to special training centres for foreign journalists in Germany.

3. Other schemes

The training guidelines for trainees in daily newspapers merely provide an outline which is applied in different ways by individual publishers. A variety of schemes has been evolved. A Koblenz newspaper, for example, with a sold circulation of around 220,000, requires applicants to hold a university qualifying certificate and a current driving licence as well as a knowledge of typing and shorthand. Candidates are selected on the basis of their curriculum vitae, and a personal interview combined with various tests. The instruction curriculum includes linguistic and journalistic forms of articulation, instruction in the photographic laboratory, familiarisation with cameras, operation of teleprinters and picture transmitting equipment, practical training in layout, proof-reading, setting and montage. Legal matters, knowledge of various editorial and printing departments, company rules and rates are other spheres. The young journalists also must visit military authorities and installations, the television studios in Mainz or the Rhineland-Palatinate regional parliament. They also spend time at district council offices, attend police courts, acquaint themselves with social and church institutions and go on reporting assignments to Bonn and Berlin (west).

Training in the editorial department of this Koblenz newspaper is divided into three stages; four months familiarisation and trial in a local editorial office, twelve months special training on a course at a Koblenz publishing house and eight months of practical training in a branch editorial office. On completion of each training phase, the newspaper editor receives reports from heads of departments or local reporters on the trainee's work; this assessment is given first to the trainee. The respective journalist-in-charge is responsible for each training phase.

Training is somewhat different at the biggest regional newspaper in the Federal Republic of Germany, the "Westdeutsche Allgemeine Zeitung" (Essen), which sells 1·2 million copies a day. To begin with, the trainee is given an insight at the editorial headquarters in Essen into the structure of the newspaper and editorial working methods and a preliminary introduction into the technical sector and the manufacturing processes in other departments. This phase lasts at least one month. Following this, the trainee is sent to a branch office editorial. The objective is to impart technical skills and journalistic style. Using a communal administration and other local authorities as models, the trainee is given instruction about social, political and economic structures.

During this first year of training, the budding journalist also has the opportunity to attend a four-week course at the Journalism Centre in Hagen. On completion of this basic training, he or she returns to head office to spend at least three months in the political editorial, learning about "copy-tasting" and "subbing". The next three months are spent in another editorial department, the selection of which is guided by the particular intersts of the trainee. There is also introduction to the function of the newspaper's offices in Bonn and Dusseldorf. A maximum of three months of the overall training period is set aside for practical familiarisation away from the editorial offices. This can take the form of practical training in a city hall or police headquarters, at other media (radio and television) or involve participation in courses or study tours. The trainee, who must submit his published and unpublished

articles to the editor responsible every six months, is informed at least three months before the end of his two-year training period whether he or she is to be employed as a journalist on a full-time contract.

4. Training problems

While there is much to be said for "on-the-job" training, it does have shortcomings; the absence of a permanent training supervisor – a journalist able to devote so much time needed for training – is one. Both small and large newspapers relatively rarely appoint a journalist solely for training purposes. And there are only a few newspapers which can afford a full training course not merely confined to " learning by doing" but also extending to instruction to theory.

There is also criticism of training supervision. A variety of surveys of journalistic training facilities also complain that the rule by which training must cover all editorial departments is frequently abused. Studies show that many trainees spend up to three-quarters of their training period at local editorial offices. Another target of criticism has been largely eliminated – the question of payment. Under a collective bargaining agreement concluded on the 1st of May 1981, first-year trainees under the age of 22 receive 1,342 DM per month (previously 993 DM). For those over 22, the new rate is 1,541 DM (previously 1,163 DM) and in the second year 1,784 DM (previously 1,163 DM).

Efforts have been made for some time now to tighten up the rather loose guidelines for the training of journalists and to make it obligatory for publishers to do more justice than up to now to certain minimum training requirements.

5. Training by periodical publishers and broadcasting stations

Whilst the publishers of periodicals do have their own training schemes, the number of trainees there is considerably smaller than in daily newpapers. At present, about 200 young people are under training with periodical publishers, most of them with publishers of specialist journals. Generally speaking, training there is based on the same criteria as in daily newspapers and payment is the same. One of the main publishers of periodicals in the Federal Republic of Germany is the Gruner und Jahr-Konzern, which by way of a participation with Bertelsmann AG (Gütersloh) is linked to the largest and "mixed" media concern on German soil, recently set up its own school of journalism in Hamburg to train its own staff.

The radio and television corporations have very limited training facilities. Most budding journalists in this sphere are recruited from among daily newspaper staff or have already gathered experience as staff reporters or freelance journalists in other media. This attitude on the part of broadcasting stations is understandable; there is great demand for employment there but only a relatively small supply of jobs available for journalists. If they did have training schemes, the trainees would have little chance of obtaining employment there on completion of their training. However, most stations offer young trainees the opportunity to familiarise themselves with broadcasting as "guests".

A central advanced training programme has been operated in Frankfurt on Main since 1978. This "programme academy" co-ordinating activities in this field by ARD and ZDF is designed to furhter the training of individuals with programme responsibilities in both corporations.

6. School and university training

The German School of Journalism in Munich – which emerged from the prestigious Werner-Friedmann-Institut in the early 1960s as well as the Institute For The Advancement Of Trainee Journalists (also Munich) founded in 1969 on behalf of The German Bishops' Conference, The Christian Press Academy in Frankfurt on Main – a protestant church institution – the Cologne Institute for Publicistic and the German Film and Television Academy in Berlin (west) are among the leading scholastic training and further training facilites for journalists in the Federal Republic of Germany. But, for all journalists, the maxim is "a lifetime of learning". Among the main institutions for the further training of journalists are The German Institute For Publicistic Education in Hagen and the Academy For Publicistics in Hamburg.

However the purely academic road to journalism is relatively new. Various universities today provide job-orientated training courses, examples being Berlin (west), Bochum, Dortmund, Göttingen, Hamburg, Mainz, Munich, Münster and Stuttgart-Hohenheim. It is widely believed that an academic course of study of newspapers is essential to the training of journalists. But this is not entirely true. Anyone who knows the differences between broadcasting systems in the Federal Republic of Germany, America and Great Britain, who understands the distinctions between a newspaper and a periodical is – perhaps – a good student of the newspaper world. But, for example, it is another matter to be able to write reports on a parliamentary debate. Aside from study at various institutions dedicated to combining theory with practice, the study of journalism or of the "science" of newspapers is not vocational training, serving merely as a preliminary introduction to the profession. However the twin realisation that, on the one hand, journalism is more than simply writing while, on the other, it cannot be learned without work in practice expedited endeavours to orientate university studies for journalists more towards practical journalism.

For this reason the federal and regional governments promote seminars and courses for journalistic training and

further training in the form of grants. For example, the Federal Ministry for Education and Science is involved in a pilot project based on a combination of the curricula of the University of Munich and the German School of Journalism in Munich. Practical training is an integral component of studies. Over a period of four years, training is given in "workshop" editorial offices of the German School of Journalism, augmented by practical journalistic duties combined with theoretical and academic university work. This division of labour between two different institutions is quite unique.

7. Training and further training centres for foreigners

Special training for the training and further training of foreign journalists and other media specialists operate in the Federal Republic of Germany. The International Institute of Journalism in Berlin (west), set up in 1962 by a group of German and foreign journalists and publishers provides further training courses for journalists from the Third World. This institution, which is sponsored by the Berlin Senate and the Federal Ministry For Economic Co-operation, runs several courses a year, giving insight into the main aspects of journalism through lectures, discussion and practical work. These courses are tailored to meet the needs and special problems of journalistic work in developing countries.

In 1964, in co-operation with the Federal Government Press Office, the Deutsche Welle in Cologne, began training radio technicians. One year later a training scheme for radio and television journalists from developing countries was also launched. Since 1967, the training of foreigners has been organised in accordance with a "framework programme" which defers to the respective level of education and professional experience of trainees. The main objective is to teach methods and techniques in the production of sound radio programmes. Deutsche Welle's training centre for foreign radio specialists runs both technical and journalistic courses. Both courses are preceded by instruction in the German language. Apart from specialised instruction and practical training, the itineraries also embrace seminars and excursions and the production of a radio current affairs programme in which the trainees take turns in various functions such as reporter or producer.

Since 1976, Sender Freies Berlin's training centre for foreign television specialists, in close co-operation with the Federal Ministry for Economic Co-operation, has operated practice-orientated training courses. Among other things, these cover news reporting, television journalism, educational television and television programme production. The main emphasis is on practical studio work. Here, again, the curriculum pays special attention to the individual intersets to course participants.

E. Problems of the media – problems of society

1. Preserving freedom of opinion

Writing about Press mergers, journalist Hermann Meyn noted: "When several newspapers are published by one publishing concern, there is a danger that they will eventually also pursue a political will – that of the publisher." He goes on to say that the process of concentration in the Press "can limit the spectrum of information media." The private legal structure of the German Press gives owners the right to prescribe the general political, economic and cultural line of the newspaper and to bind journalists to this in their employment contracts. Basic Law permits restriction of opinion in this way. "Press freedom does not go so far, for example, that a journalist who has contractually committed himself at commencement of employment to a particular Christian posture can later represent atheistic views in the paper," is how the Federal Constitutional Court defines this particular subject.

In the mid-1960s, at the behest of the German Parliament, the Federal Government set up a Press commission to inquire into the threat to the economic existence of Press enterprises and the effects of the process of concentration in the Press on freedom of opinion and expression in the Federal Republic of Germany.

The commission, referred to as the "Guenther Commission" after its chairman, comprised publishers, journalists and the directors-general of radio and TV corporations. In its final report in 1968, it noted that "concentration has not yet adversely affected Press freedom, but threatens to do so". The commission made a series of proposals as to how to meet this threat, including a recommendation to the Federal Government to report regularly on the situation of the Press and to lay down upper limits for the market shares of individual Press enterprises.

The Federal Government responded to the first recommendation by producing its "Media Report" – the four-yearly (last one 1978) "Report on the State of the Press and Broadcasting" set out the main points containing major changes in the mass media field or drawing attention to new assessments and evaluations. But it did not follow up the commission's suggestion that the process of concentration should be contained through limitation of shares of market. Instead, in 1976, it produced the "Third Amendment to the Law Against Restriction of Competition", creating the legal basis for special control of mergers in the Press industry. Unter this, the Federal Cartels

Office must sanction mergers between Press enterprises with a joint annual turnover of more than DM 25 million. In this way, control of Press fusion deliberately adopts economic criteria and fully integrates the examination of Press mergers into existing legislation governing competition.

The Federal Government's experience is that Press fusion control has proved its value. "The very existence of this form of control", says a government report, "causes firms to shy clear of mergers entailing problems in the competitive sense or encourages them to find more tolerant forms. This is particularly true of the daily newspaper sector, in which only isolated mergers have taken place since the introduction of controls". Since 1976, when the law took effect, several mergers in the Press sector have been disallowed by the Federal Cartel Office, or at least prevented from going beyond the initial stages.

Only recently – in November 1981 – the Federal Cartel Office refused permission for the Burda publishing corporation of Offenburg to obtain a participation in the Springer concern. An initial Burda participation of 26 percent – later 25 percent – was under consideration. The Federal Cartel Office ruled that such a venture would jeopardise the media market because a merger between the two publishing giants – joint annual turnover more than DM 3,000 million – would possibly have placed smaller competitors at a disadvantage.

The Federal Cartel Office argued that this planned "super concern" would have had a far greater advantage in the wholesale of its products than could ever be won by smaller competitors on account of its market power. The office expressed the opinion that a merger between the two Press empires would have meant unacceptable concentration of economic power in the German publishing sector.

The merger was also dubious from another point of view – journalists' scope for switching employers would have been severely curtailed. Perhaps it is understandable and legitimate for the two corporations to have entrepreneurial aspirations to set up joint operations, however, in this case, private, individual economic considerations were subservient to the higher cause of the interests of society in general. Springer and Burda intend to appeal against the ruling of the Cartel Office and are said to be prepared, if necessary, to seek a special ministerial dispensation as provided for in the Cartels Law. This lays down that the Federal Economics Minister can issue individual special permits for mergers "if fusion is justified through the overriding interest of the public at large". As early as 1975, the Federal Government's "Press Statistics Law" created scope for statistical surveys of newspaper and periodical publishers as a means of procuring "reliable data on the situation of the Press in the Federal Republic of Germany and of determining structural change and economic developments in the Press". This material is designed to make it possible "effectively to detect in good time and deal with developments and dangers threatening the freedom of the Press".

2. "Internal" Press freedom – a perennial topic

The Federal Government believes that, as far as the future preservation of Press variety is concerned, it can be assumed that "an optimum range of financially and publicistically viable information media – independent of and in competition with one another – provides the basis for the expectation of greater variety of information and opinion and increases the scope of freedom of the citizen". High hopes for the preservation of variety in the Press are also staked in the improvement of "internal press freedom" designed to strengthen the scope for decision of journalists vis-à-vis publishers. The nucleus of this is the definition of the competencies of publishers and journalists. The aim is to extend the rights of journalists and grant them co-determination in all matters of editorial staff policy. The journalists' associations believe that they should also be given a say in all matters of fundamental importance arising in the future extending beyond day-to-day actuality which affect the publicistic line adopted by the respective newspaper. A case in point would be if a newspaper embarked upon a basic change in political attitudes. So far, negotiations launched in 1969 between the journalist's organisations and the federal Association of German Newspaper Publishers on a harmonised formula for co-operation between publishers and editorial staff throughout the Federal Republic of Germany have proved fruitless. Attempts by the journalists' organisations to resolve the problems of "internal press freedom" in individual publishing houses by means of in-company collective bargaining agreements have so far proved only partially successful. For example, the SPD-owned printing and publishing concerns and the Print and Paper Employes Union concluded collective bargaining agreements introducing extended codetermination rights for editorial staff (and works council).

However, the decisive role in the process of improving "internal press freedom" will probably lie in the strengthening of the rights and independence of journalists in relation to publishers by way of editorial statutes because these can at least prevent a situation in which "a few decide what many must think". In several newspaper and periodical editorial departments, the representatives of employers and editorial staff have negotiated editorial statues greatly improving the rights of say of journalists. Statutes of this kind are in operation, for example, at the "Mannheimer Morgen", the "Abendzeitung", the "Rhein-Zeitung", the "Saarbrücker-Zeitung", the "Süddeutsche Zeitung", the "Kölner Stadtanzeiger", "Vorwärts", "Südwestpresse", the weekly "Die Zeit" and the monthly "Capital". But efforts to achieve a unified reorganisation of the relationship

between journalist and publisher continue. The Federal Government would give precedence to successful conclusion of these negotiations over a settlement imposed by law.

3. Possible media – media of the future

In the Federal Republic of Germany, as in many other countries, the media-policy discussion is increasingly influenced by technical developments in the field of information processing and communication. What is ultimately at stake is the decision, against a background of rapid technical development of radio waves – particularly in television – as to whether private sponsors in the Federal Republic of Germany (entrepreneurs, publishers, churches etc.) will be able to produce radio and television programmes and the key question of who controls the new media.

Some years ago, the Federal Government set up a commission of experts – the Commission for the Extension of the Technical Communication System, Working on behalf of the Federal Government, it covered the wide-flung range of problems involving new communications technologies from the points of view of structure, technics, organisation and financing. In its detailed report in 1976 the commission put forward proposals for the further development of existing systems.

One of the main media of the future is cable television which, among other things, facilitates television programmes in hotels or supermarkets and can be extended to cover entire municipal precincts. Technically, cable television is fully "ready to go" but, in view of a plethora of unresolved legal questions, only pilot projects such as those recommended by the commission can be carried out. Gigahertz television which – in combination with cable TV – would also faciliate "local stations" with locally orientated news coverage, ecc. and the production of a "facsimile newspaper" – the electronic transmission of whole newspaper pages thus creating a newspaper which could be "beamed" into households by way of a tele-copy system, are in various stages of development. While cable TV will not get under way before 1983 or later (the federal and state governments have agreed to survey public reactions and lay down its content in a series of pilot projects) experiments with electronic text transmission using "screen text" ("Bildschirmtext") and "videotext" systems have been under way since June 1980. The Press is involved in field testing of these media.

In the screen-text system, text and simple graphics are fed by originators via post office telephone lines into an electronic data bank (screen-text centre). Subsribers must have their TV sets specially adapted, with a dialling unit for connection to the telephone net. This enables them, using a telephone, to "dial" the screen-text centre or an inter-linked "information bank" and thus retrieve the desired information on their screens. Screen-text services include general news and news and information about economics and sport, exchange rates, theatre and cinema programmes, public transport and job vacancies. Sitting in his armchair, the viewer can also make travel bookings, order wine, scan a department store catalogue, send greetings, check his bank account or have money transferred. This "dialogue" element also enables the subscriber to inject information or pass information to other subscribers. The facts point to the popularity of the system: since field tests began in Düsseldorf and Berlin (West), the 120 000 pages of electronic text have been retrieved 700 000 times.

Videotext is transmitted simultaneous to the TV programmes by way of so-called "blank lines" occurring during transmission of the television picture. Reception of video-text requires the fitting of a special device which separates the text from the picture, places it in interim storage and converts it into a TV picture image. A digital panel is also needed for selection of individual "pages" from the video-text magazine. The sample offering of video-text embraces 75 pages comprising mainly information about TV and radio programmes, news, service reports (lotteries, etc.) and newspaper reports which are continuously up-dated. Fifteen of the 75 pages are reserved for a Press review. Under an agreement between ARD and ZDF, on the one side, and the Federal Association of German Newspaper Publishers, on the other, this is compiled from five newspapers – "Frankfurter Allgemeine Zeitung", "Süddeutsche Zeitung", "Die Welt", "Handelsblatt" and "Frankfurter Rundschau".

Video-text is the main form of tele-text technology. In the Federal Republic of Germany, the term „Tele-text" covers the whole range of facilitaties for the electronic transmission onto the screen of a conventional TV receiver of readable text. As demonstrated at the Berlin Radio and Television Exhibition in 1981, it is possible today – apart from the normal TV programme – to transmit several hundred pages of "Screen Newspaper" and bring them into vision on the screen at the touch of a button. An index of contents shows the distribution of pages, while the digital panel is used to retrieve the desired page within a matter of seconds. The reader can even „leaf through" the newspaper, retrieve pages at leisure and – thanks to the electronic "bank" in the subsriber's receiver – can retain any page desired for as long as wanted on the screen. The commission feels that video-text is suitable for information accompanying or augmenting conventional programmes and for information-in-brief of all kinds, such as news, sport, entertainment, weather reports, etc. Satellite television is also beginning to take on profile. At the Berlin exhibition, the German Post Office demonstrated new avenues in TV transmission technology.

Using directional transmission techniques, a programme was beamed to Oberpfaffenhofen, near Munich; from

there, it was transmitted to an experimental satellite and then, after covering a distance of 73,000 kilometres in quarter of a second, it was received back at the Berlin exhibition grounds by way of a satellite-earth reception facility. This experiment presaged a technical innovation which, in a few years time, can revolutionise the entire television transmission system through the introduction of "direct television" from space. Solutions have already been found to the telecommunications technology aspect. Like most other European countries, the Federal Republic of Germany has been apportioned the respective position for a satellite with five channels. This will be located in a space station 19 degrees West, 36,000 kilometres over the Equator. The Federal Republic of Germany and France will develop and build this satellite jointly, and plans are at the moment for it to be launched into orbit in 1983, to be followed by two years of test transmissions.

But high-flying hopes have been dampened – Radio Luxembourg plans to have a satellite built and inundate large areas of the Federal Republic of Germany with its German programmes, finances from advertising revenues.

Numerous German newspaper publishers want to participate in the Luxembourg TV satellite venture. The Federal Republic of Germany acknowledges freedom of access to news and information over and beyond national borders, but the federal government and the political parties want to prevent a situation in which the broadcasting and Press structure in this country would be saturated or dominated from abroad. Just this could happen with a satellite programme coming from Luxembourg.

4. Media, freedom and democracy

The legal integration of new forms of communication still has to be discussed between the federal and state governments. Development of new telecommunications techniques makes it more difficult to make a conventional distrinction between the various media. In the view fo the federal states, the broadcasting stations and the journalists organisations, video-text is to be seen as a component of broadcasting, while the publishers of newspapers and periodicals regard it as belonging to the Press by definition. Commercial "lobbies" – such as the newspaper publishers – are pressing for participation. The federal states believe that the "screen-text" also comes under the definition "broadcasting" – a view not shared by the federal government.

The federal government has set up an inquiry commission to look into these and other problems. It's scheduled to report by September, 1982 and make recommendations as to which decisions should best be taken. Among other things, this will look into what – if anything – must be done to preserve the competitiveness of the Press, particularly small and medium-sized enterprises, when the new technologies are introduced.

The federal government has repeatedly declared its willingness to work out in co-operation with the states what decisions are proper for the integration of new media into existing systems on "the basis of unified concepts". It must consider whether the implementation of what today is technically feasible (for example cable TV) justifies the high investments needed for realisation of the programmes in question. "We are in favour of communications technology investments wherever they secure jobs on a long-term basis, improve the competitive power of the German economy and make working life easier." Chancellor Helmut Schmidt said in a recent interview. "The new media open up great opportunities for industry, administration, commerce and trades", he added.

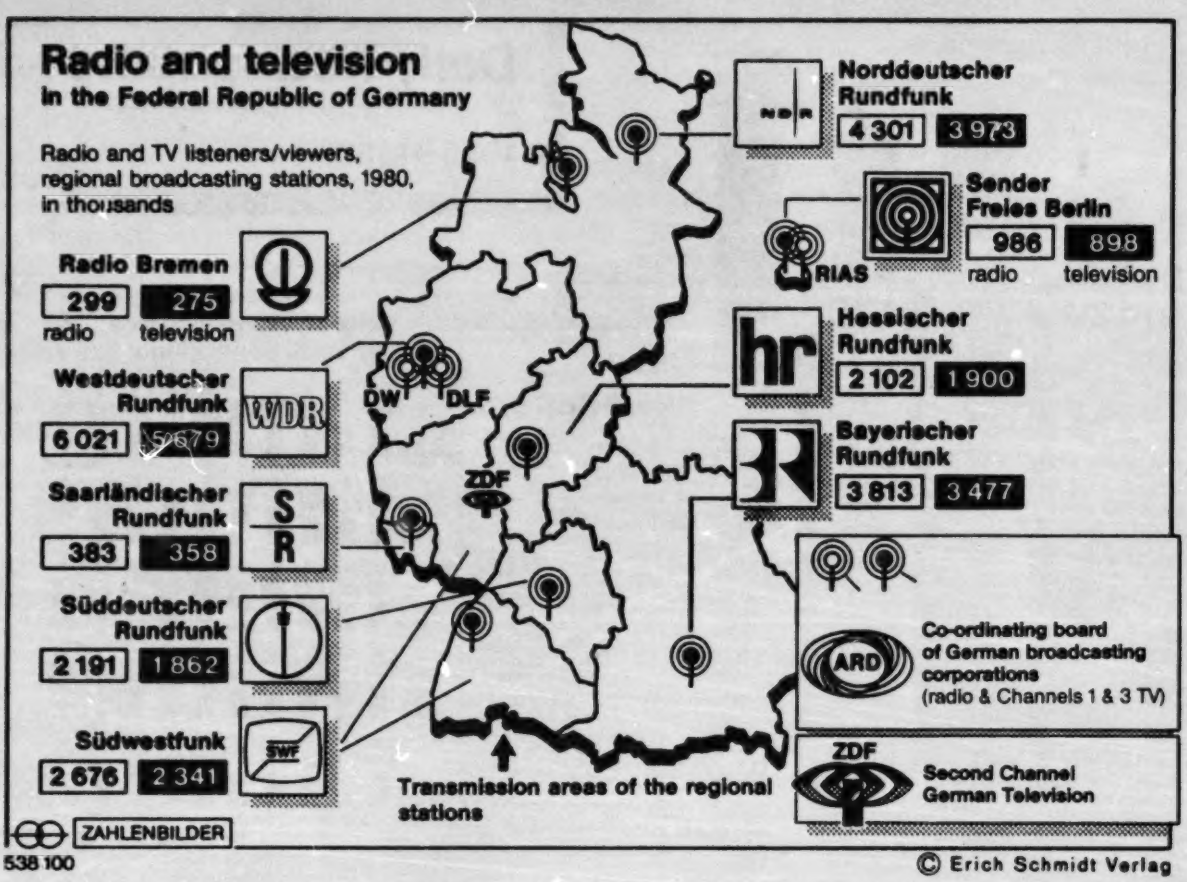
But the federal government considers that the forthcoming decisions on development of new media are not only economically, but also politically trend-setting and thus of significance for the preservation and improvement of multiplicity of opinion and freedom of information in the Federal Republic of Germany and thus can influence the further development of democracy in freedom. "Framework conditions which cement pluralistic choice and prevent accumulation of financial dominance" must be created for the new media in accordance with the media-policy decisions of the federal government. Chancellor Schmidt has repeatedly and unequivocally declared that "suitable forms of co-operation between television and the press must be tried and developed in existing pilot projects". (IN-Press)

1. Daily newspapers in the Federal Republic of Germany 1950–80
2. Sold circulation in millions
3. Daily newspapers with a total of 1,244 main and district editions
4. of which: street-sale newspapers
5. Source: Federal Association of German Newspaper Publishers
6. Daily newspaper copies per thousand population (1980)

Daily newspapers in 1980

Despite the continuing process of merger and fusion in the Press sector, newspaper readers in the Federal Republic of Germany have a wide choice. According to the Federal Association of German Newspaper Publishers, there were still 395 daily papers in 1980, eight of which were street-sale (mass circulation) papers, with four supra-regional and 383 local and regional subscription papers appearing in a total of 1,244 editions.

However, the figures are misleading in one respect. The variety they indicate does not apply to the political sec-



tions of papers, which are provided by only 122 editorial staffs independently.

In order to combat the spate of newspaper closures in the 1970s, many small and medium publishing concerns joined forces in the editorial sector. New forms of co-operation in the advertising, technical production and distribution sectors are also being developed.

(INP/ZB)

1. Radio and television in the Federal Republic of Germany
2. Radio and TV listeners/viewers, regional broadcasting stations, 1980, in thousands
3. Transmission areas of the regional stations
4. Second Channel German Television
5. Co-ordinating board of German broadcasting corporations (radio & Channels 1 § 3 TV)
6. radio television

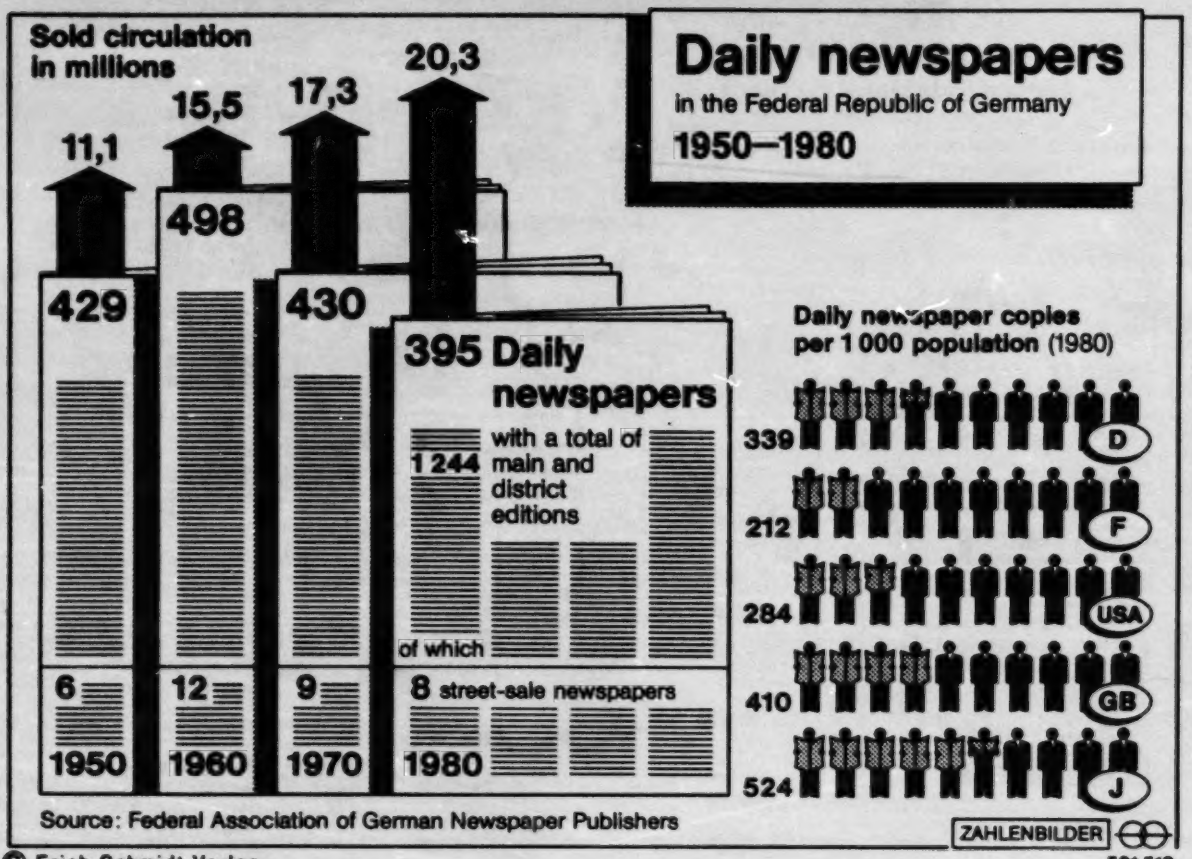
Radio and television in the Federal Republic of Germany

Some 23 million radio sets and 21 million television receivers provide West Germans with information and opinions, education and entertainment. Broadcasting of sound radio and television programmes is the preserve of the public broadcasting corporations, the federalistic structure of which corresponds to the internal make-up of the Federal Republic of Germany.

Each of the nine regional broadcasting stations linked in ARD, the co-ordinating body of publicly owned corporations, broadcasts several radio programmes, a regional TV programme and a contribution to a Third Channel. Thirty percent of revenues from TV license fees goes to Second German Television, which has been producing a second channel centrally since 1963.

The radio stations Deutsche Welle (DW) and Deutschlandfunk (DLF) are governed under federal law and have special status. The Berlin station RIAS (Radio in the American Sector) is a guest member of ARD.

(INP/ZB)



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